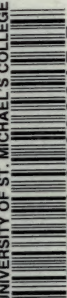
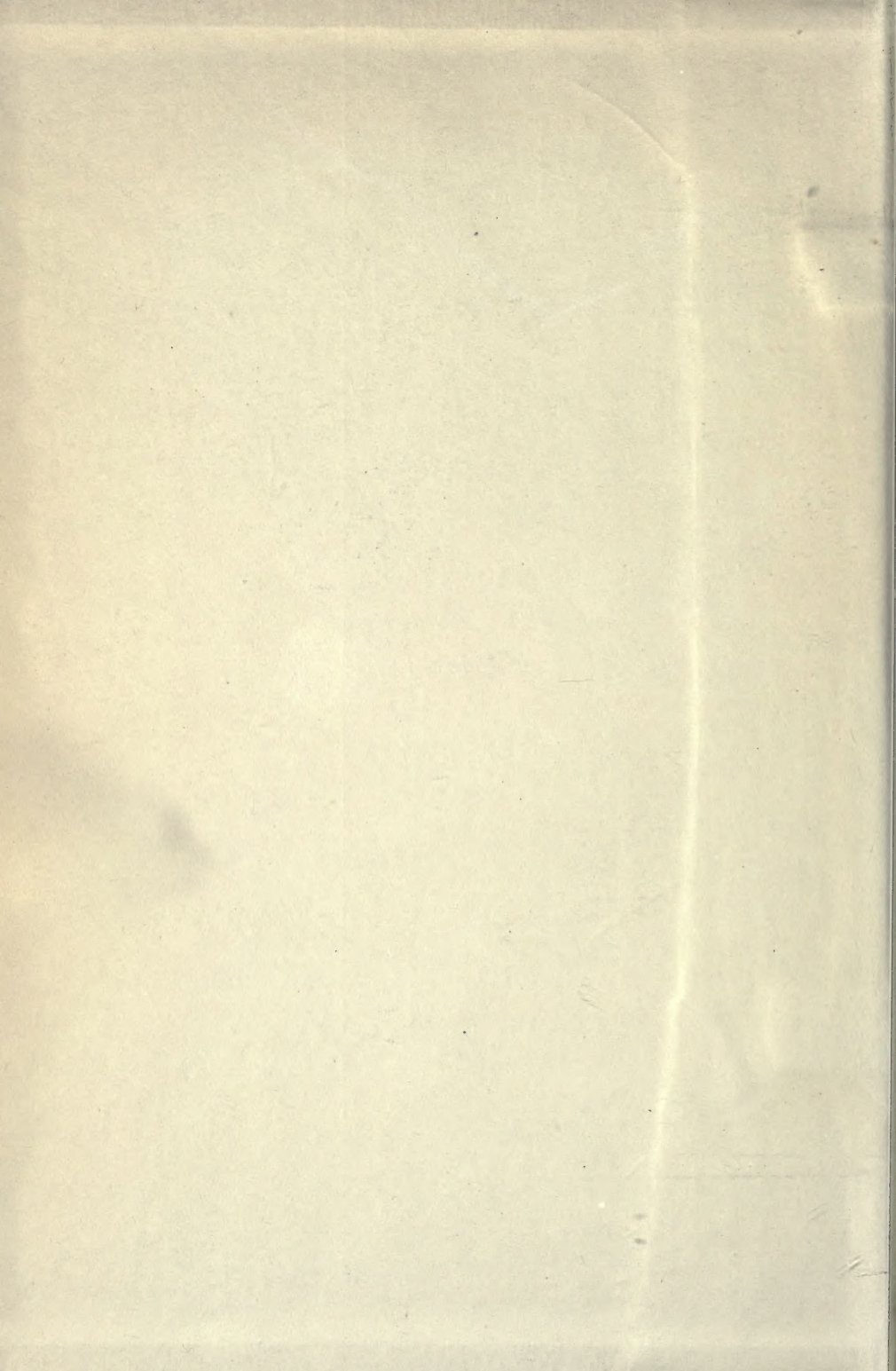


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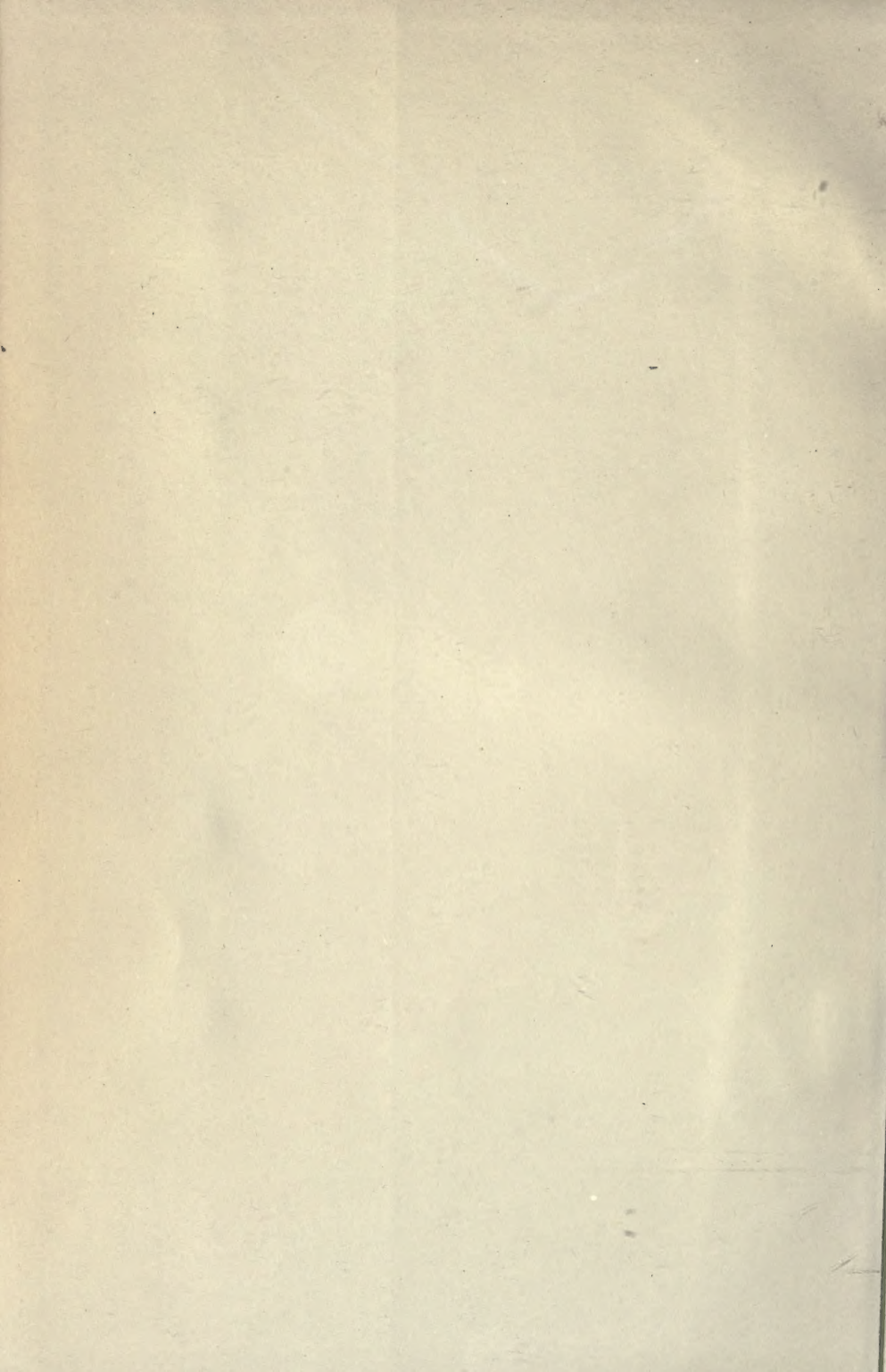


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# The Irish Ecclesiastical Record

A Monthly Journal under Episcopal Sanction

VOLUME XIV

JULY TO DECEMBER, 1919

*FIFTH SERIES*

DUBLIN

BROWNE AND NOLAN, LIMITED, NASSAU STREET

1919

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# THE IRISH ECCLESIASTICAL RECORD

## LEONARDO DA VINCI'S 'LAST SUPPER' (AN APPRECIATION)

BY REV. P. A. BEECHER, M.A., D.D.

As this year marks the fourth centenary of the death of Leonardo da Vinci (he died on 2nd May, 1519), it may not be out of place to make a few remarks about his 'Last Supper,' which is known wherever the Catholic faith has penetrated. When Da Vinci painted this picture on the wall of the Dominican convent in Milan, he inaugurated a new era in painting, an era in which it reached a higher perfection than during the 150 'golden years' of Greek painting. Doubtless, the Greeks, in that technique which aimed at painting nature to the point of illusion, still remained unrivalled; but, after all, such illusion was not a high motive, and could not for a moment be compared with the lofty aim—soaring even to the Godhead—of Da Vinci and his contemporaries. Here, too, as a background, is a something which the Greeks never attempted in their golden period—they did later, with only partial success—a genuine piece of landscape. In order to realize what this painting did for that art of which the Church has ever been the patroness and highest inspiration, it is necessary to take a retrospective view. I shall try, however, to be as brief as possible. The early Church was completely dependent for its art on the Romans; and the Romans were largely dependent on Greek artists who came to their shores, they themselves being too utilitarian to have any firm grasp of its secret. We can understand, then, how, with the decay of the Roman Empire, the hand lost its cunning (as we can see in the catacombs, in which the older paintings are the better) and how, after a time, the

laws of linear and aerial perspective, with their corollary fore-shortening, were completely lost; and, without these laws, painting, as we see amongst the Egyptians, must remain primitive and crude indeed. All through the Middle Ages, even at the time when architecture attained its highest perfection, these laws were hidden in obscurity, and the Church had to be satisfied with a mere symbol, or with the crude conventionalities of the Byzantine style. Cimabue, in the 13th century, made the first great effort to break from this latter,<sup>1</sup> and on the day when his enthroned Madonna was unveiled, the picture was carried in triumphal procession through the streets of Florence to the altar prepared for it; and so great was the joy that a square was named Borgo dei Allegri. His pupil Giotto so far surpassed him<sup>2</sup> that he and not Cimabue is commonly named the Father of Modern Painting; but even he had a long way to go.

Over a hundred years elapsed, during which there were many efficient painters,<sup>3</sup> such as Masolino and Masaccio, but none could be said to have so improved on Giotto's work as to constitute a distinct epoch until we come to Fra Filippo Lippi, his pupil Botticelli, and his (Filippo's) son, Filippino Lippi. They succeeded, indeed, in giving us beautiful, idyllic Madonnas, and each name, in turn, stands for marked progress; but the laws they were striving for were not yet fully mastered<sup>4</sup>; so that, in this sense, it is true to say that painting is the youngest of the fine arts. At last, Da Vinci's 'Last Supper,' which not only put everything up to that time in the shade, but established a new era in painting, an era as marked, in its own way, as that which saw the leap of Greek architecture from its inchoation in Assyrian and Egyptian. Filippino Lippi, the greatest of the three afore-mentioned, acknowledged the supremacy of the master, and later, at Florence,

<sup>1</sup> Duccio of Siena should be mentioned also, but instead of trying to break with the Byzantine style he attempted to improve it.

<sup>2</sup> Dante represents the illuminator Oderigi as saying:

'In painting Cimabue fain had thought  
To lord the field; now Giotto has the cry,  
So that the other's fame in shade is brought.'

*Purg.* xi, 93.

<sup>3</sup> I am considering only Italian painters, as it would be going too far afield to refer to Flemish and other artists.

<sup>4</sup> They had a good knowledge indeed of those laws, but not mastery, as we see difficult problems in perspective avoided by, for instance, the deft introduction of portions of buildings.



withdrew from a contract he had already entered on, at the mere mention of his name. What Michelangelo and Raphael would have been had he not preceded them (Angelo by twenty-three and Raphael by thirty-one years) it is idle to speculate. Certain it is they were indebted to him, notably Raphael, who, while the divine element is all his own, first climbed to fame on the shoulders of the mighty Florentine. Later, at Da Vinci's shrine, the flame of his genius was lit, which burned the conventional strings of mere talent that his teacher Perugino had woven round him.<sup>1</sup> Even at the height of his fame, the Da Vinci spell was upon him, not only in the nature background and pyramidal composition of his pastoral Madonnas, but even in the 'Transfiguration,' for what are the disciples therein but still more idealized forms of the 'Last Supper' group? Perhaps I should state again that the divine element in Raphael is all his own. The dependence of Michelangelo, as time rolls on, ceases to be felt; their lines of development lay far apart, chiefly because Angelo boldly championed sculpture (and do we not see the hand of the sculptor in all his paintings?), while Leonardo, in his *History of Painting*, as ardently upheld the superiority of its rainbow sister. Still, for all the divergence, the question remains, would Angelo of himself have fully mastered those laws of linear and aerial perspective on which his fame in the Sistine Chapel chiefly rests?

But to return to the 'Last Supper.' We know from drawings in the Windsor Library that the artist first intended portraying the institution of the Blessed Eucharist, but later he changed to the Betrayal. He seizes the dramatic moment when Christ says, 'One of you is about to betray Me.' It was certainly a daring undertaking to give pictorial representation to the effect of that statement on twelve men of different character and temperament—'a ray with twelve reflections,' as it has been aptly called. The quiet of the room (and no furniture in this painted room to distract the attention) is as suddenly and violently disturbed as if a stone were flung into a placid sheet of water. And the agitation is further heightened by contrast with the calm of that beautiful glimpse of

<sup>1</sup> I must not be understood as disparaging Perugino, but merely as saying that his gift was only talent as compared with the genius of his great pupil.

landscape, with the inevitable streak of water, which we see through three pierced openings in the wall, and which, in addition to the moral effect of contrast, gives a delightful background, the central opening serving as a halo for the person of the Redeemer. What a happy combination of the ideal and natural! And how easily a less gifted brain or less cunning hand would have spoiled all by overdoing this background, of which (in Shakspearean phrase) a little more than a little would be by much too much. Unlike Giotto, who used a round table, Leonardo, with more art, has represented a long one, over which the cloth is well drawn to the front so as largely to conceal the feet, for the artist's aim is to concentrate all attention on the faces, the busts, and the action. But here a difficulty arose: the long white cloth would be monotonous, and would be calculated to hold the eye from getting well into the picture, for the same reason that a stretch of water across the immediate foreground of a landscape is to be avoided. Let us note the cleverness of technique. Against monotony, the cloth is well creased into squares, and, of course, there is room for variety in the way these catch the light; also it has well-defined patterns running through it at each end; and, for fear of any suspicion of a too studied effect, see the apparent negligence of the two realistic knots. Against the holding effect, the eye is attracted well into the picture by the glinting of light from the many plates and bowls and glasses; we see the rolls of bread; the fruits, too, are there, apples and pears, with green leaves still adhering to the stems; and—touch of nature again—Judas has ominously upset the saltcellar. These all seem but trifling details, but they are contributing to realism and to technique.

And now for the drawing and arrangement of the figures—composition, as it is called. In the first place, we might remark that composition gave artists much trouble. Of course it is now all quite easy, at least in theory, and any student of art can quote the seven recognized forms.<sup>1</sup> But we should not forget that these had to be wrung from nature by the slow process of observation, and then crystallized into form, as grammar from language; in which process, Leonardo did more than any other artist before

<sup>1</sup>They are: the triangle, the scales, the cross, the radii, the circle, the rectangle, and the line of curvature.



or since, the 'Last Supper' being, perhaps, the world's masterpiece in composition. No other picture gives such variety in unity, the Greek idea of beauty—not that he went to the Greeks for his ideas; on the contrary, he always insisted strongly that an artist should go only to nature, for, otherwise, nature becomes to him not a mother but a grandmother.

In this picture we see the balancing of effect with effect, of action with action, in such rhythmical harmony that, notwithstanding all the agitation of face and gesture, the *tout ensemble* has the simplicity and self-containedness of a piece of sculpture—nay even, it is frequently so treated. The party has broken up into four groups, separate but still linked, and the Saviour is in the centre in detached majesty, the central window, as I have already said, serving as a halo around Him. Where will he put Judas? His predecessors, Andrea del Castagno for instance, placed him away from the others, at the opposite side of the table, as a kind of black sheep. But Leonardo, with more genius and deeper dramatic vein, adheres to the Scriptural narrative and places him with the others. This arrangement enables him to have the four-fold grouping; and it is still more important in its moral effect, for the agitation is heightened by the fact that the traitor is amongst them and unknown. Yet, on careful examination, we see that Judas, though with them, is not of them, for, behold! Peter, on leaning over to whisper to John, shoulders him off, so that Judas is made to lean away across the table, resting, however, with ease and naturalness on his right arm, and, of course, firmly gripping the purse.

We next come to consider the members<sup>1</sup> of the party individually. It will be noticed that of the faces seven are in profile, four three-quarters to the front, and only one, besides Our Lord's, is fully turned to us. According to this arrangement, we find not more than two faces in any group drawn in the same way. Of course, Leonardo knew that the party did not sit, but reclined on couches; he had, however, to deviate from this for the sake of art. Now, one

<sup>1</sup> Perhaps it might be well to give the names of the different disciples: on Our Lord's right hand (that is, on the left of the spectator) are John, Peter, and Judas (first group), and Andrew, James the Less, and Bartholomew (second group); on the Lord's left (right of spectator) are Thomas, James the Greater (hands outstretched), and Philip (first group), and Matthew, Thaddeus, and Simon (second group).

of the most extraordinary things about the personages in this painting, and indeed in all his art, is the subtle and indefinable manner, almost reminding us of the oneness of animality and rationality in the human soul, in which he blends realism with idealism—the former giving strength and vigour and raciness of earth, and the latter transfusing it and suggesting almost the divine. Take, for example, James the Greater and Andrew. They are, to be sure, highly idealized missionaries of the Lord, men who in personality, from even the human point of view, could overawe kings and princes, and yet for all that there is a certain suggestion or nuance of—well for lack of a better word I must whisper uncouthness—which reminds us that they were of late casting nets and baiting hooks. Contrast them, for instance, with Matthew, and note the difference. I could never imagine Andrew throwing out his arms with the graceful ease and artistic abandon of Matthew. James's arms are actually outstretched, but what a difference! Again, contrast the Andrew of this group with Raphael's, in the 'Transfiguration.' Raphael's is simply a replica of Da Vinci's with the realism dropped. But to return. On the Saviour's right are John, Peter, and Judas. John is the only disciple who is fully faced towards us; and the only one who is calm. His placid countenance wears an expression of sorrowful resignation, for he knows that all this must be. And what a harmony there is between the placid countenance, the slightly tilted head, the relaxed muscles of the outstretched arms, and the locked fingers that gently rest on the table! Love begets likeness, and it seems to me that the artist wished to convey that the Master's spirit had gone into the soul of the disciple whom He loved—at least John is the only one whose attitude and manner can be compared with the Lord's. The requirement of art compelled a departure from the Scriptural account, and the traditional rendering, of John as leaning on Christ's bosom. The Master must have the majesty of isolation, and how naturally it is secured by John's bending to catch Peter's whisper! And there is Peter himself, true to life, with impulsiveness stamped on his bent form and eager, honest face. He has not time even to put down the knife before starting from his place, for see, he holds it nearly behind his back. What a pity we have no true likeness of him, the bronze statue at Rome notwithstanding! but we feel somehow, judging from his



character, that he must have looked as the artist has drawn him.

Passing over the slight separation, the caesural pause, as it were, in the pictorial line, we next come to Andrew, James the Less, and Bartholomew. Andrew is splendidly drawn. There is a look of stupefaction on the fine open countenance, to which the honest fisherman can give expression only, as already indicated, by throwing up his hands. The action is natural as life itself. James the Less is in profile, the line being one of classic regularity, while the unscissored, wavy locks fall naturally around his neck and throat; and there is deep trouble on his face. Note the touch of realism in the facial resemblance to Our Blessed Lord, as they were cousins. His left hand rests on Peter's shoulder, and this easy, natural action has the effect of linking the two groups. At the end of the table, Bartholomew has suddenly started up; the action was so sudden that his feet (the only ones fully noticeable, and that for a special reason) are still crossed. Were his firm head to tower above the others, a fault, by the way, into which Andrea del Sarto fell, the line of composition would be interfered with, and he would, in addition, receive undue prominence. To guard against this, the artist has him leaning with both hands on the table. He is looking fiercely at Judas, and is clearly saying to himself, 'I have my suspicions, for I never trusted that same man.'

It may be objected, however, that leaning with both hands on the table is not an attitude indicative of emotion; on the contrary, it is the most expressive attitude known to elocution for the calm enforcement of an argument that speaks for itself. Quite true; but observe, it is necessary for Bartholomew to do so, because his feet are crossed. Thus, the crossed feet tell us of the sudden start, and they explain at the same time his leaning on the table. It is said that the perfection of art is in the concealment of art, and this certainly looks very like the genuine thing. How admirably, too, his firm, forward-inward pose, and, opposite him, Simon's square, venerable figure, with forward-inward gesture, strengthen the two ends, thus contributing much to the sculpturesque all-togetherness of the group, which, in view of its great length, its multiplicity of action, and variety of emotion, is not the least of its many perfections.

On Jesus' left, we see James the Greater, Thomas, and Philip. James has thrown out his arms and shouted aloud his horror. I have already referred to the touch of realism underlying the idealism, which is chiefly noticeable in James, in painting whom the artist held none of his power in reserve. The right arm is almost on a level with the shoulder, and would, perhaps, be too prominent, were not its somewhat too great horizontal line counteracted by the bolt vertical of Thomas's hand, and especially by the prominence of his index finger, which will not let the eye rest for long on James's arm.<sup>1</sup> And this brings us to Thomas. He has started from his place, and is the only one of the party who seems to be contemplating physical force. We see only the back of his hand, his eyes are flashing, and he is probably asking, 'Rabbi, did I hear you say that there is a traitor in this room?' According to all the rules that govern variety and balance in composition, this physical trait should have its counterpart; and, sure enough, here it is in the sweetness and gentleness of Philip, who, young, delicately beautiful, and trembling with love and pain, points to his heart as he protests his innocence. It will be noticed that Philip gets great prominence by the fact that he is standing, his head being higher than that of any other member of his group. Why is this, seeing that Leonardo is so particular about composition? It is clearly necessary because of the delicate refinement, and almost effeminate appearance, of Philip. Were Bartholomew, for instance, in Philip's place, he should be treated differently. In fact, we cannot fancy Philip less prominent without feeling that there would be a want, especially as he is balanced against the physical Thomas.

At the end of the table, Thaddeus and Simon, theirs the only two Semitic faces, are represented as two aged men, somewhat hard of hearing and somewhat dull of comprehension. We see from the position of Thaddeus, he being turned towards Simon, that they had been holding a little private conversation, and so did not catch what Jesus said; but Matthew, the gentleman of the party, has turned to tell them. By the way, his turning destroys unity, but the very pronounced gesture with both arms re-establishes it—Leonardo loved to play with variety on the very verge of daring. Simon puts out his hands protesting that

<sup>1</sup>Modern artists are very particular about the counteracting effect of horizontal and vertical lines.



it cannot be ; but Thaddeus, while pointing up the table with his thumb (fine touch of nature), says : ' But Matthew heard the Master say it, then it must be so.' And as to Matthew himself, we are told he was a tax-gatherer. This meant, to put it briefly, a position practically similar to that of the middle landlord in the former Irish land system. Tax-gatherers had it in their power to fleece the people, and, being Jews, they did it. They were then wealthy but very unpopular. Because of his prominent position, Matthew is represented as an aristocrat,<sup>1</sup> but an aristocrat who has thrown away all ideas of social standing, as is manifest from his consideration for the two plain old men. Matthew the tax-gatherer would probably have looked down on them, but Matthew the disciple is their brother ; and it shows great subtilty on the part of the artist to place him beside these two, the plainest and oldest at the table. Again I wish to direct attention to this interplay of idealism with realism. There is a something very nobly graceful in the poise of the fine patrician head, and in his whole attitude, even to the aesthetically bent fingers of the delicately moulded hands. And how naturally he has gathered up the gown which falls in fleecy folds over the left forearm ! He would look noble and graceful even in the Roman Senate, and aspiring elocutionists could not do better than practise his beautiful gesture.

The artist had no difficulty, save for final touches, in dashing off the different types, until he came to Judas and Our Lord. He used to follow people in the street if he noticed any peculiarity of feature, and then quietly made a drawing of it ; he used also gather around him the tatterdemalions of Florence and Milan, and, being a great humorist, used to set them in roars of laughter and then sketch the different faces—which sketches, by the way, are now in the Royal Palace at Windsor. In passing, I might remark that he always acted on the principle that ugliness is to beauty what disease is to health, and as it is only in disease health can be fully appreciated, so he arrived at beauty by eliminating ugliness. From his experience, then, he had a substantial tower of realism on which to erect the spire of idealism. Still, when he came to Judas he suspended work. The Prior complained to the Duke, and on the latter remonstrating with him, Da Vinci said

<sup>1</sup> Cardinal Newman, in one of his sermons, calls Matthew the gentleman of the party.

that he was trying to evolve a face for Judas, 'but if the Prior doesn't give me peace,' he slyly remarked, 'I suppose the only thing to do is to paint himself.'

We admire the novelist who can firmly portray a character, although he can devote page after page to the work; still more do we admire the dramatist, for he has to portray within limited time and space, and, without direct description, by clash of character with character. But what of the artist who must do all this through the silent medium of line and colour? Well, at last Judas did appear, and—alas for the human face divine that it could come to this! It is fortunate that he is drawn in profile, for, otherwise, more than children might be frightened at the medusa face of the man from Kerioth who sold his Lord. No, I cannot describe but only indicate:—the hard, round poll, with its crop of black, thick, kinky hair, and in shape like a rolled-up hedgehog; the hollow, low-bred, avaricious forehead that falls back from a shaggy, amorphous crag-like eyebrow; the long, ugly, hooked nose; the heavy, sensual lips, tightened and pursed as if in preparation for the kiss that, for evermore, shall be a byword; the lank, protruding jaw, tipped with beard scraggy as mountain furze; the eye watching the Master's face with defiant, unwinking, alligator stare; and all silhouetted in shadow, symbolic of foul heart—here surely is no paltry malefactor, but a man Mephistophilitic in character and in sin. Still, the spirit of evil must not dominate the scene—a fault, as we know, into which Milton fell in *Paradise Lost*. Judas is made to flinch before the Majesty who faces him, while the spasm of the left thumb (one of the subtlest things in the painting) shows that the shot of exposure has gone home and unnerved him.

And, finally, the Saviour Himself. What is Leonardo to do, for he has already exhausted his power? He consulted his friend Zenale, but the latter said that, after painting the two James's so, only the Holy Ghost Himself could help him. How he envied Timanthes his happy device! Let us recall the incident, for he got a hint therefrom. Timanthes, in painting the sacrifice of Iphigenia, graded the sorrow on the faces of those present, according to their relation to her, from Kalchas gloomy and Ulysses down-cast, to Ajax weeping and Menelaus wailing loud, but when he came to Agamemnon he could go no further, so he represented him with his face veiled in his mantle, and the



spectator, on seeing the grief of the others, was left to imagine what the father's grief must be. Leonardo, as I have said, got a hint from this, he left a little to the imagination, he never fully finished the face, in the sense that he omitted the final touches—in any case he could not have done so, as his hand used to tremble when he came to it. But, even in its unfinished state, it is, unquestionably, the finest face of Christ in the realm of Christian art. Never before, and, if we couple Raphael's Sistine Madonna, never since, has human eye lifted itself to higher aim, and never has human hand so succeeded. We know that the aim of the artists was to give a face of sweetness and strength. The sweetness we get in practically every case—but the strength? Yes, here at least. Veiled with pallor and with the eyes downcast, it is the face of a man who has borne our infirmities, who knows that on the morrow He shall have to stretch out His arms to die on a cross, but it is likewise the face of a man who laid down His life because He willed it. Who, on seeing that divine form haloed with majesty of isolation; on seeing that high, serene forehead from which the parted hair falls in wavy masses to the shoulders; on contemplating the calm dignity of the outstretched arms, eloquent in their very repose—the tender repose of those divine hands, the hands of many healings; who, on noting the sublime detachment from the agitation all around, whilst, at the same time, every thought and look and gesture must be interpreted in regard to Him—who, I ask, will not say that He and He alone dominates the scene? Is it inspiration, or is it only genius?—in this *sursum corda* of art the unattainable has been attained? The verdict of four centuries has said so, from the critic who sees only the skill to the peasant who dwells on the image in prayer; and generations as yet unborn will confirm that verdict, for, chiefly through that divine face, the 'Last Supper' is catholic with the Catholicity of the Church itself, and bids fair to endure so through all the ages.

But, alas! that it should largely have shared the fate of so many of Da Vinci's works. Gone is his colossal equestrian statue, in its day one of the wonders of the world; gone his 'Battle of the Standard,' in which he pitted his prowess, and not in vain, against the young giant Michelangelo; gone many of his easel paintings, and the 'Last Supper' is nearly gone. Apart from suffering

nearly every indignity that ignorance and vandalism could inflict, the many daubing renovations being not the least, it early began to suffer from a technical defect in the materials used. Da Vinci, unlike Michelangelo, was a greater believer in oil, as only through its medium could he get the '*sfumato*' effect, the interplay of light and shade which he so loved, and which he saw in perfection in ascending smoke. But the oil was not a success on the damp cold wall, with the result that it soon began to flake and peel, and is now only the pale ghost of its former self—the greatest loss to art since the destruction of the Phidian marbles of the Parthenon. It is a ruin, but what a ruin! Leonardesque to the last, it has in it more than ruin's claims. Whilst leaning on the guard rail—symbolic of sanctuary all too late—and pondering on its majestic going down, I could not help thinking how like the setting of the sun. As the sun's broad red disc sinks into the west, although shorn of its beams, it still has lingering about it much of its noon-day grandeur. And so with the 'Last Supper.' It has a glory all its own, a fascination that entrances, and even in the pale twilight of its day it retains not a little of the radiance of its splendour when Leonardo first flamed forth his thoughts to light, to dazzle, and to charm.

But I must conclude. The limitation of space prevents an examination of the 'Madonna of the Rocks,'<sup>1</sup> that marvellous creation of mystery and charm, with the haunting, mystic smile<sup>2</sup> of the Divine Mother, and the ardent, almost hypnotizing gaze of the adoring angel. But even if this, and the 'Mona Lisa,' and all his other paintings were treated by a pen more efficient than mine, yet how little should we thereby learn of this extraordinary man, who, more interested in science than in art, relegated his painting to a secondary place; who, in his first letter from his native Florence to Duke Sforza of Milan telling him of his many inventions and scientific attainments, wound up the long series by saying: 'And I also can paint.' Why, the 'Last Supper' was chiefly painted during the hot hours of the day when the blazing sun drove him from work on the famous equestrian statue, twenty-six feet high, which occupied

<sup>1</sup> He painted this subject twice, once in Florence and once in Milan. The former is in the Louvre, the latter in the London National Gallery.

<sup>2</sup> Called the Leonardesque smile, which no imitative brush can reproduce.



more of his attention than the painting; but even this had to yield second place to his scientific work, for his chief occupation at this very time was as chief military engineer in that gigantic undertaking by which he irrigated and canalized all the Lombard plain, and connected Milan with the chief rivers and great lakes. I may not say more here lest I draw away attention from the 'Last Supper.' This much, however: He is perhaps the only man in the history of the race who combined two things usually held to be incompatible—the highest instinct for art, and a rare acumen for science. This latter, with the Editor's permission, I hope to discuss in a future article.

P. A. BEECHER.

## ‘THE POOR AT HOME’<sup>1</sup>

BY REV. T. J. NUNAN

THE instinct of the poor is to be let alone—beggars are not included, who, having nothing, yet have everything—and he who knows the poor by constant personal contact is, by a cognate instinct, slow to make public anything of their condition, for he feels that he is about to disclose something given him in confidence, and given by those for whom his esteem is not less than his sympathy. This barrier of secrecy is not the smallest of the difficulties which face the student of the problem.

The poor are to the stranger an enigma, to the intimate a trust. They tell not their story to every man. Let a well-dressed stranger appear in a lane, he is regarded as a public demonstration; faces appear at the doors, and children run out to enjoy the event. He will have his kind word for the elders, and his pat and his penny for the little ones; every question of his will be readily answered, but his note-book will hold no record of the depth of humour concealed in their souls. The result is a mass of unreal information, pure fiction, written up and popularly believed, a constant stumbling-block to the work of public charities.

For best results, the student must aim at intimacy; he must bring to his work a true fitness of temperament, and must endure a long period of preparation, long enough to make his name a household word in every lane and alley where the poor exist; he must possess a constant and untiring energy, operating daily, year in year out, under conditions sometimes disagreeable, but abounding in compensations, and he must be prepared for many disappointments and pitfalls.

The life of the district priest is spent among the poor; he has the time, for it is his work; he has the entrée, for it is his profession. Thus qualified, it is easy for him to

<sup>1</sup> A Study in the South Parish, Cork.



compile particulars, such as are found in the following pages, of facts and conditions and observations, taken from life, which may be a help to the understanding of the problem by those who are interested in the subject, but have neither leisure nor opportunity.

*Regular Employment.*—Although we are not machines, there is a good deal of the machine in us, and happily so. Many years ago, I remember having heard from senior priests of long experience, that you could enter a school and pick out the children of *regular* labouring parents, guided unerringly by their clean clothes and plump faces. I frequently proved it for myself, and confirmed the truth by finding in their homes the full complement of comfort and plenty round a cheering hearth. The weekly money ranged from 14s. to 18s., and it came in every week and paid for everything, including simple luxuries—a pipe, occasional refreshment, occasional hospitality. The dispensary doctor and benefit society tided them over sickness; insurance money went to relieve the troubles of death; there was never an undue strain on the slender wage, and it came in every Saturday with the precision of a machine. The fathers were carriers, porters, and store-labourers in our hundred departments of business and trade; they had the confidence of their employers, and there was no grumbling. (There were exceptions, of course, not frequent, which never prove anything, but which provided some of those faces frequently seen round our churches and presbyteries.) The life-spring of the machine was the *regular* weekly wage, and as long as the standard was kept up, the largest class in the community was provided for, and happy. If I were back again in 1900, I should not mention this class; they were not the poor, and only a dreamer would include them as such.

How do they fare to-day? Let us make a simple calculation. From 16s. in 1900 the average wage went up to 19s. in 1914. As few, if any, paid more than 2s. 6d. rent, and this figure still remains unchanged, subtract it from 19s. and 16s. 6d. remain, to meet every other expense. The 1919 equivalent of this 16s. 6d. is 42s. 6d., to which add the 2s. 6d. for rent, and the sum 45s. represents the weekly living-wage of unskilled labour in June, 1919, corresponding as closely as possible with the 19s. of 1914, and with the old wage, 16s., which proved so satisfactory in 1900. These are simple figures, not statistics, and no one can say they are exaggerations.

How many of that large and deserving class of regular labourer receive 45s. a week now? Not a small percentage were recruited for the army, and many are treated justly by employers; but unfortunately, a considerable number of below-minimums remain with us. We will count them presently. These sub-minimums, are they poor now? Ah, yes. But we hear nothing about them? There is the barrier of secrecy. What do the schools tell us? Not much, thank God. The free lunch is small, but what a vital part it helps to play. There is *heroism* somewhere. Come and see them at home. There is the same cleanliness and neatness, the brushed floor, the dusted dresser; but the kitchen-living-room looks bare, the hearth is cold, made colder by the square inch of living coal among the ashes. If it is washing day, you will see the strained arms of the mother drenching the threadbare garments in the tub, while she does her best to welcome you with her weary eyes and thin echo voice. If it is meal-time, the father is there; how familiar is that pale, wistful face, dumbly speaking a reminder of days that have been, looking at the table, glancing at his wife, then turning full round to you, his eloquent eyes seeming to whisper all the time: 'Father . . . you understand.'

The fact is, these parents of sub-minimum wage, who never before knew what poverty was, are now able to rise to the occasion, and deny themselves heroically for the children; not yet driven to the public-house—which poverty ever feeds—but a class of heroes in distressing want through no fault of their own, while they work in the midst of plenty. A sorry state of society.

The labourer has a *right* to the living-wage. When he receives less, he has a *right* to the remainder; therefore, if charity gives him anything—cheap milk, free lunch, free coal, etc.—he accepts it as his *right*. The money that should be his is in the pocket of his employer, who, in his turn, contributes largely to local charities. Would it not be better for such employer to give the necessities of life, the living-wage, to the men who do men's work for him, and so permit a reduced charity bill to assist the only proper objects of charity, those who are incapacitated from earning a living wage? By so doing, he would fulfil both justice and charity; at present he fulfils neither. (The shareholder who does not protest must share responsibility.) And, financially, this is easily possible, without



straining his big reserves; economically, if he does not wish to touch the actual wage-figure, fearing after-war depression, let him give the extra shillings as a 'weekly peace-bonus' or 'present from Cork,' or whatever else he may wish to call it; the labourer won't quarrel with the name. Many of our employers, to their high honour, have raised the actual wage to 45s., and I can give personal testimony to the daily gratitude of hundreds of their workmen.

Is it necessary to speak of cases where one or more boys or girls of a family are at work, and increase the weekly income? Is this calculated to lower the minimum wage of the workman and lessen the obligation of the employer? Certainly not. The working boy is of an age when he is most expensive in upkeep; he is big and he is growing, and needs plenty of food; his clothes and boots do not stand long, and they are expensive—twice as much so as children's—and what does he bring in? 6s., 8s., 10s., perhaps, often for doing a man's work.<sup>1</sup> Plainly, if that boy were to leave home then and there, and emigrate, would the family be worse off? My experience convinces me, and I have no hesitation in saying they would *not*; rather to some extent the reverse.

Cases like the above must not be confounded with others, when nothing like a living wage is coming in; where the father, perhaps, is dead or invalided, and the mother bears the burden. Here, frequently, children even under fourteen years are forced to earn a pittance every day; they are doing their bit, and cannot be spared. Such cases are best known to the charitable societies, and surely do not affect the argument of the living wage.

*Some figures.*—The congested district, from which all our observations are taken, lies midway in the South Ward, and contains about 5,600 people. There are 340 single houses, with rents of 2s. 6d. and under, and 75 tenements containing 334 families. This gives a total of 674 working families (unskilled). Of these, 252<sup>2</sup> labouring parents have gone into the army, and 92 families belong to the class of indigent poor (widows, etc.), leaving 330 families depending on the labouring wage. About 190 of these

<sup>1</sup> Thanks to the trade unions, these figures have gone up considerably during the past few months.

<sup>2</sup> More than 400 of all classes in the district are on H.M.S.

labourers receive wages of 45s. a week and over, so that 140 families in this district try to exist on the sub-minimum wage. In these figures every head has been counted. Now, in the city there are at least nine such districts, and we are face to face with the problem of over 1,000 families in Cork struggling silently with want; the weekly income, brought in by strong men, insufficient to provide the necessities of life. It is a large class, respectable and deserving, and the one most difficult to relieve, as long as employers fail in their duty. Any social organization using its endeavours to level up wages to the minimum living standard is not vainly employed; it has a noble work to do, but it must bare the sword.

[What is to be said of some members of our Boards, who, with public money, are just and generous, but are among the worst offenders against their own workmen? At the least, they show a seriously defective responsibility, a bar to any position of trust, public or private.]

*Irregular employment.*—There are many quay-labourers in Cork. Previous to 1915, they were never poor; when they were idle, they lived on credit in the neighbouring small shops; when they worked, they brought in from £3 to £6 a week, and paid their debts and were happy. (Here is a silent mighty worker against poverty, the small shopkeeper, one of our great social workers, his little wealth daily used to preserve a happy social balance, often in hard straits himself, but never refusing help to his neighbours in need.) With the troubles of the sea began the trials of the quay-men. Fewer and fewer ships arrived; he felt himself unfitted, by temper and habit, for other employment; the recruiting office stood open before him, staring with figures of lavish bounty, and in he went. Most of them are gone now, some never to return; the few that remain are, for the most part, able to 'carry on' as before, and there is little or no poverty.

Skilled workers in the building trade—carpenters, masons, painters, plumbers, etc.—normally have their quiet winter season, which they can tide over. In war-time, the trade is restricted and the idle season prolonged; many are able to get work in neighbouring dockyards, and the rest, though wages have been increased, are forced to lower their standard of living. This is their war-burden, and is hard; but it cannot be said that they add to the burden of poverty. There is a scarcity of builders' labourers



at present, and the other trades generally have been lifted up by the war and continue brisk.

*The weak and stricken.*—A large class remains to be dealt with, a class which dwells at the workhouse gate, and is kept outside by the hook-and-crook of benign charity. Who give are never poorer, none the richer who refuse. While the ways of Providence are inscrutable, God ordinarily permits natural agents to perform their operations, of cause and effect, after their manner. A breadwinner is taken away from a young family and tender wife; the mother herself, the guardian of the home and all that it means, is taken in her prime, leaving a stricken hearth and its young inmates

Like sheep without a shepherd,  
When the snow shuts out the sky.

Here are charges for our charitable societies, to follow up the trail, and fill in the ravages, of idleness, sickness, and premature death. Last year, the St. Vincent de Paul Society of ladies and gentlemen spent £3,400, principally on this class; they support families through tender years, they provide nourishing food for the delicate, they help to restore the sick, and afford comfort to the aged in their need. No household necessity is excluded from their gift, and St. Vincent has made many saints in our city and throughout the world, by the simple means of appointing them distributors of charity.

It was another saint, though his name be not on the calendar of the Church, who started our Sick Poor societies. The members collect pennies every week from door to door, and bestow all they have on sick cases; last year as much as £1,300 being spent by them in Cork. The Poor Law contributes as much as £178 a week towards the upkeep of 761 families. These are large sums for 1918, when there are so many lucrative employments—dockyards, munitions, the army and war-work of all kinds; and yet there are necessary and deserving cases every week, which the societies can never reach. Still other sources of charity exist, the clothing society, the milk fund, the coal fund; and while the extent of *private* charity cannot be measured by figures, it is not the least of the beneficent operations blessing our city.

Finally, who knows anything of the charity dispensed by the poor themselves? Remember that they help each

other every day with breakfasts, dinners, suppers, clothes ; they share their meals and their warm fireplaces, and pay one another's rent when necessary. It is all pure charity, but all is certain to come back again with the turn of fortune's wheel. There is no more charitable class amongst us than the poor themselves.

And there is room for deceit. Everyone who gives charity knows that he will be taken in sometimes, and the man or the society that *will never* be taken in will keep his charity in his pocket for evermore. At times, too, this deceit is a mere trick, to be laughed over if successful ; and as the poor are said to have but few pleasures, we might overlook this occasional one.

Grave abuse, however, is not frequent, and is easier to observe than to correct. Indiscriminate charity is sometimes put down as a main source, begetting beggars. Particular seasons, like Christmas time, usually afford the occasions, but at these particular times it is least of all easy to discriminate. Small sums, of a shilling or two, only sufficient for the briefest relief, bestowed on cases known to be deserving and in need, are best calculated to dull the finer feelings of the poor ; the need returns quickly, and, certain that they are not asking, or will not receive much, they soon become beggars at the gate. And yet, this is highly discriminating charity, only wanting in carrying power. Is such a giver to refuse altogether, when he is not in a position to give more ? Who will answer ?

*Housing.*—Mark Twain, in his dream, sailed and sailed till he came to the end of the world and, looking over, saw all the old moons thrown out. Room might also be found there for a lot of our tenement houses. But the tenement is not without its virtue, and should not be utterly condemned, if some, even many, are unfit. Were the poor better known to their betters it were well for them. When the poor know each other best it is well for all. Therefore, tenement houses are good in principle and serve a useful purpose. If there were no poverty, if everyone had enough, then the privacy of 'one house, one family,' should be ideal. In our district of 5,600 souls, the *poorest* of the poor live in *single* houses, silent, desolate, alone. Some are known to the societies, some are known to the priests, even a few might, for a time, escape the closest vigilance. They are poorest, for they are without that golden neighbourliness which the tenement, be it good or bad, provides.



Of our 75 tenement houses, 40 are fit to be consigned to the ‘away beyond.’ Roofs are porous, stairs yielding with age and infirmity—a frequent step has disappeared altogether—broken floors, broken walls, broken ceilings, broken doors, broken windows, broken hearts. Dirt is of the essence, and must be there, everywhere. A cleanly family going in will become slattern in a week. And 184 families in our district, 800 souls, call this ‘home,’ and pay their rents every week.

These 184 families are accumulated in less than 250 rooms, some large, many not much larger than a good table. You would require the atmosphere of a Dickens’ novel to describe existence in the top loft under the roof, rent 1s. a week. In one street alone, 19 of these houses bring in sums ranging from 14s. down to 10s. a week each; in another street six houses at similar rents; in three other streets three such houses in each, and so on. And there are up to 400 houses of this class in the city, enclosing 2,000 families. Our city rulers have their own difficulties, and new buildings must be deferred; but much can be done to compel the luckless owners, by every force, legal, moral, and effectual, to put the wretched houses in order. No need to labour into further detail. Our small single houses are good, our laneways and narrows are excellent, our tenements are a disgrace, a blot on our public administration.

*Life of the Poor.*—By a kind dispensation, poverty is not misery. The children are the happiest in the world. They have the largest play-ground—the streets; and the longest time to play in—till dark and after. For six months they are boot-and-stockingleess, and are like birds, just tethered by gravity, but never grave, ever trying to loose the fetters. They are elastic, unstable, as often off their feet as on. When accident or disease comes, they are whipped off to hospital; into it they carry light and life and fun, and they emerge with a spring. They have enough to eat, that is, if children ever have enough; without the ruddy bronze of the children of the fields, they are round and fat, with infinitely more energy. New clothes are a diversion, but they matter not, for the newness soon wears off. Parental control lacks that rigour which threatens to cloud the early sunshine of life, and the children grow up, well able to make their own fun, and filling the day with it.

Can age be desolate where youth is gay?—a mercy of

the force of circumstance. Grievances they have, and trials, but won't nurse them; and when the day's work is done they wash, and so wipe away all tears. They have no cares for the morrow—the only cares that take root. The war is bad, not because dynasties of years are tottering, but because bread is 9d. a loaf; they pay the money, they have the bread, the trouble is over. Too much butter is bad for the exchequer; they cut it out. What is meat for the father makes sauce for the rest; they grow accustomed and cease to think, and are pleased. So, want and stint are battled through, and the victor is happy in his simple way. One terrible enemy they have, the stinging cold. It is hard to be happy and shivering. *Free* coal is generously provided, but unfortunately the system of distribution is open to grave abuse. *Cheap* coal, in some manner like the cheap milk, might be better; the direct gift of money might be better still; some new system is undoubtedly necessary to keep the great winter charity confined within proper limits.

The virtue of temperance is not more sinned against in the lanes than in the broadways; the vice of the poor makes the greater noise, that is all. Driven by want, by cold, hunger, nakedness, and utter absence of comfort, the *very poor* seek the warmth and shelter of the public-house, and sink further down; they are driven, they go not of their own will, and consequently their sin is small, if at all existing, in the sight of God.

To sum up. This essay intends merely to point out some home facts about the poor in Cork. It may be well to enlarge its purpose at the last moment, and draw attention to some constructive conclusions.

1. If the living wage were universally established, if offending employers (and we know every one of them) could be brought to feel their obligation in justice, no greater public good—after Home Government—could be realized. It is properly and finally a State remedy, to be assisted and accelerated by the moral influence of public opinion and the Press. This done, by whatever means, the problem of the poor, though always a burden, is easily solved down to the last head. (It might here be mentioned that in America many masters of labour increase a man's wage when he marries—some even double it—and add a further increase when every child is born.)

2. Though it seems an evident necessity, it is not a



fact that district priests are invited to councils for the distribution of public charity. It is not necessary to argue the case. None can know the subject better; for seven days of the week they are in the midst of it; it is their one business outside the door of the church.

3. The question of repairing tenement houses is both present and practical; and here again the priest comes in. He knows the houses every one, inside and out, along with the names and addresses of the negligent owners, and could furnish a society like the Social League with an unanswerable case for compulsion by the city authority.

4. It would be hard to devise a better system of distribution than that of the children's milk fund, where the recipient pays one half and the fund the other. A similar system might with profit be applied to the coal fund, which at present is grossly abused by the wholesale selling of free tickets; or the experiment of giving money might well be tried, for no one makes a shilling go further than the poor housekeeper.

5. Finally, the question of temperance halls is not altogether outside our subject, though the very poor, whom poverty drives to drink, cannot enter them—a matter of dress. They are as necessary in a large parish as a jail in a city, and for much the same reason. Every day there are men of the labour and trades class needing the pledge, and there must be some place ready for them to spend their evenings in; otherwise it will be drink again the next night, and poverty to follow. But well-filled halls are no certain evidence of parish virtue; the home is the ideal place for the true father of a family. For the young, too, they are equally necessary, for they preclude the danger of the public-house habit entering in; and so for young and old they fulfil a vital purpose, and ought never be dispensed with.

The problem of the poor is never absent for a day; its working demands the best resources available; and efficiency marks a highly progressive civic life. The poor always need our help; they deserve honour for their fortitude, and respect for their independence; and while we stand amazed at their charity and virtue, some would even be disposed to envy their simple pleasures.

Studiously to avoid exaggeration is certainly to err on the other side—the fault of this essay.

T. J. NUNAN.

## THE COMING OF THE KNIGHTS TEMPLARS TO IRELAND

BY J. B. CULLEN

WITH the exception of the Cistercians, most of the great religious Orders, notably the Franciscans, the Carmelites, the Dominicans, and the Hermits of St. Augustine, were introduced into Ireland after the Anglo-Norman Invasion.

Somewhat less than thirty years previous to the landing of the English on our shores in 1169—the Cistercians were established in this country by St. Malachy, Archbishop of Armagh—their first foundation being at Mellifont, near Drogheda. The abbeys of Bective, Newry, and Boyle were founded in quick succession—all during the life-time of the saintly Primate. Eventually, their houses numbered forty-two, and nearly every county in Ireland possessed one or more of their splendid monasteries.

All these institutions flourished down to the time of the Protestant Reformation—when they shared the common fate of everything Catholic, and were almost wholly blotted away beneath the tempest of fanaticism, bigotry, and persecution. But, in our better days, as in a second spring-time, they are with us once again, taking part in the manifold activities of the Church, and promoting the blessings of religion, education, and social virtues among our people.

While most of us are familiar with the origin and history of these Orders, there was one religious body whose members played a very remarkable part in the affairs of Christendom during the Middle Ages, concerning which very little, comparatively speaking, has been recorded in our national annals, namely, the Knights of the Temple of Jerusalem. Previous to its dissolution in the early part of the fourteenth century, this military-religious Brotherhood had upwards of forty houses in Ireland, and possessed estates and tenements in several counties and towns. Moreover, the patronage and advowsons of numerous



parishes and churches were vested in its control. Privileges and immunities of a most remarkable and extensive kind were conferred on the order by successive Pontiffs and kings, which rendered its members independent of all ecclesiastical or secular authority—save that of the Pope, alone. Yet, strange to say, while the Templars, during the century and a half of their connexion with Ireland, must have exercised considerable influence in the religious administration of the country, we find, as we have said, very scant information about them in the pages of our chroniclers, and, save in the echoes of place-names here and there—or in the faint traditions which fireside folklore weaves round the sites of their bygone castles—their existence or martial memories came to be almost entirely forgotten. Wherefore, it may be asked, this curious silence regarding the Templars?

It may be explained, partly, by the fact that the Knights of the Temple were *not* priests or clerics in Holy Orders, or scholars, in the accepted sense, and hence they valued not the services of the scribe or annalist, who usually held such an important position in the monasteries of the Middle Ages. Neither were they racy of the soil—they were not Irish in any sense. Their headquarters were in England, where the Grand Master of the Order resided at the House of the Temple, London. The inmates of their first houses were foreigners—English, French, Spanish, or of other nations; in fact, they had no national ties with this country or, it might be said, with any other, for their only nation was Christendom, and from the circumstances that called their order into existence, their only concern was centred in defending the interests of the Holy See—as the militant servants of the Pope.

At the time the Anglo-Norman conquest of Ireland was initiated in the reign of Henry II, the leaders of the enterprise made it part of their policy to give the Invasion the semblance of a *crusade*, undertaken for the religious betterment of the Irish nation. Whether their pretensions or motives, in this respect, were based on the conditions embodied in the (doubtful) grant of Pope Adrian IV or not, it is apparent that they gave proof of their missionary zeal very soon after they had secured their first foot-hold in the south-eastern part of Ireland (the present Co. Wexford) by establishing monasteries and other

religious institutions in the newly-acquired territory.

The Preceptory of the Templars at Kilelogan, in the parish of Templetown (1172), was the first of these Norman foundations. A few years later (1175) the great abbey of Dunbrody came into existence, its founder being, according to the Cistercian chronicles, '*Hervy de Marisco, from Wales, marshall of King Henry the Second's army in Ireland and seneschal of the whole territory of Richard, Earl of Pembroke, surnamed Strongbow.*' This was the first English monastery, of its kind, built on Irish soil. Within a few years or so, after the date of the charter of Dunbrody, De Marisco became a monk in the Benedictine Priory of Canterbury, and apparently the material erection of the abbey was not undertaken till 1182. It was mainly built by the founder's nephew, Harlwien, Bishop of Leighlin, who is said to have been its first abbot. The sister Abbey of Tintern, a few miles distant and in the same barony, was built and endowed by William Marshall, Earl of Pembroke, the son-in-law of Strongbow (1200). In the town of Wexford the ancient Priory of the Canons Regular, styled the Monastery of SS. Peter and Paul, was re-founded, under the auspices of the Norman family—De Roches—and its designation changed, being thenceforth known as the 'Abbey of the Holy Sepulchre.' Some members of the second founder's family took part in the Crusades; hence, we may assume, they desired to perpetuate the memories of the Holy Land in the dedication of the abbey church which they rebuilt. In the more northern part of the county—at Enniscorthy—another of the Norman adventurers founded the Priory of the Canons of St. Victor of Paris and peopled it with a foreign community. The old-time houses of the Canons Regular at Ferns and New Ross were re-constituted and endowed by the Elder and Younger Earls of Pembroke—of the ill-fated line of the Marshalls. The priories and convents of the Mendicant Orders were established at Wexford and elsewhere in the county later in the thirteenth century—all under English patronage.

We have touched on these few items of local history, in advance of the immediate subject of our narrative, in order to show, to some extent, what the earlier effects of the Invasion of Ireland were—at least in spiritual matters.

As we have noted, the Order of the Templars was the first to settle in Ireland. In the year 1171,



when Henry II arrived to assume the direction of the enterprise, which Strongbow and the earlier invaders had begun, he was accompanied, we are told, 'by a fleet of four hundred transports carrying a numerous body of archers, and a company of five hundred knights, their esquires, and attendants.' In the train of the English monarch, doubtless, the Templars were largely represented, since it was close to the spot where the royal fleet cast anchor, in the estuary of Waterford Harbour, that the first lands granted them were situated. In the deed of Henry II to the Templars the grant was made on condition that the grantees should pray for the soul of the grantor and the souls of his ancestors. The lands specified were the manor of Kilclogan, on the Wexford side of the harbour, and the lands of Crook, on the opposite shore, in the Co. Waterford. It was at the latter place Henry and his followers disembarked.

From this early charter we have instances of churches as well as lands being conferred on the Brotherhood of the Temple, a custom which was not uncommon in their day. This must strike us as rather singular, since, as we have just said, the Templars were *not* priests in Holy Orders—however, they were permitted to appoint or secure the services of members of the clergy, whom they paid a salary to administer the sacred functions, while the parochial revenues or benefices were retained by the Templars themselves.<sup>1</sup> By the Bull of Pope Alexander III (1173) formal permission was given to the order to enroll priests as chaplains, who were exempted from episcopal control. Here it may be recalled that churches in the olden time were frequently endowed for the support of the clergy, or for suffrages to be offered at their altars for the welfare of benefactors, and hence constituted very valuable property.

The foregoing facts go to show the esteem in which the Knights of the Temple were held, and how great were the distinctions and privileges lavished upon them by Church and State. It goes without saying, that this body of military monks enjoyed favours and immunities greater by

<sup>1</sup>The annual value of the church of Kilclogan was 24 marks, while the chaplain's yearly salary was 4 marks. To the Preceptory of Kilsaran (Co. Louth) seventeen parishes and twenty churches were attached. The churches and houses of the Templars had the right of 'sanctuary,' whither criminals might fly for refuge, and be safe from arrest.

far than those bestowed on the Monastic Orders, or any other religious organisation in the Church.

But to return.

In connexion with the foundation of the Templars at Crook (Co. Waterford), the church of St. Barry was comprised in the grant of Henry II. Likewise, by the same charter the manor and church of Kilcloggan (Co. Wexford) were given to the Knights of the militant order. Here, we may remark, the designation of the latter townland was only a variation in name of 'Kil-Allog,' i.e., the '*church of St. Allog*'—the Celtic patron of the district. His cell and oratory stood on the site now occupied by the Protestant church, which, with its castellated tower, overlooks Templetown Bay. In the dedication of the new parochial church (R.C.) a few years ago, the name of St. Allog was coupled with that of his brother—St. Dubhan—who shared his missionary labours in South Wexford, more than fourteen hundred years ago.

In the same deed of Henry II to the Templars a further grant is recited of '*mills at Wexford, also the church of Saint Waloch, near Wexford, with the lands belonging thereto.*' The whereabouts of the latter church has long been a subject of antiquarian curiosity, and gave rise to very diverse conjectures and strange conclusions, indeed. However, recent researches regarding the historical connexion of Wexford with the Danes (they were the founders of the seaport) help to throw some light on the matter. After the Norsemen accepted Christianity about the middle of the tenth century they became very enthusiastic in promoting the new religion among their mixed race. In many of their maritime settlements, in this country and in England, we have evidences of their zeal in the founding of monastic houses and churches. In Wexford the ancient Abbey of SS. Peter and Paul (now called Selskar) was due to them. Later on, when St. Olave (canonized 1031) became the accepted Patron Saint of Norway, the Danes were wont to dedicate shrines in his honour in several of their towns, where we still find traces of his memory. Curiously enough, the name of this saint takes various forms owing, probably, to the different dialects of the Scandinavian peoples—thus he is styled Olaf, Olaus, Alloch, and Waloch, Duloque, Tulloch, Tooley, etc. In Dublin and Waterford the Latin form—St. Olave—is perpetuated in the old-time parishes, while



in Wexford tradition preserves the title of St. Duloque, as also the Danish territory of Fingal (*white stranger*), where his stone-roofed church may yet be seen, between Howth and Malahide. In London the designation of 'Tooley Street' survives to tell its long-silent tale.

In the Roman calendars St. Olave is commemorated as 'King and Martyr,' on July 29.

From the inferences we have quoted we may safely conclude that *Waloch* and *Duloque* were synonymous, and, consequently, assume that the Preceptory of the Templars, outside the ramparts of Wexford, lay in the old parish of St. Duloque, which is still well known, adjoining the mill-stream of 'Bishop's Water.'

The charter of Henry Plantagenet,<sup>1</sup> to which we have so often referred, is the only royal grant to the Templars in Ireland on record, but the Norman nobles and feudal lords followed the royal example in bestowing lands and monetary gifts on the order—for their own welfare and that of their kindred. There is evidence, as we shall note later on, that the Knights Templars had two other houses in South Wexford, namely, Ballyhack (*recte* Bally-canoak<sup>2</sup>) and Houseland Castle—both within a few miles of Kilclogan. Local tradition ascribes Kerlogue or Killilogue, a mile south of the town of Wexford, to the order, and the hearsay which filtered down through the centuries would seem to contain a considerable element of historical truth.

Donors of estates and benefactions to the order were accorded special privileges by the Holy See, and, to a certain extent, may be said, shared the immunities which the Templars themselves enjoyed. This fact drew numbers of seculars of the noble and wealthier classes to affiliate themselves with the military Brotherhood throughout Western Europe, and goes far to account for the vast landed possessions the latter acquired in the hey-day of its existence.

While not active members of the order or bound by vows, the associates of the Temple were allowed to assume

<sup>1</sup>This grant was dated May 22, 1172, at Avranches, in Normandy, whither Henry had proceeded from Wexford, on the previous Easter week, to meet the Papal Legate concerning the murder of Thomas à Becket. On this occasion, to appease the indignation of the Pope, the King made a vow to provide for the support of 200 Templars, and to conduct an army in person to the Holy Land. The latter part of the promise was afterwards commuted on condition that Henry would found three religious houses.

<sup>2</sup>So called from St. Cynog or Canoak, who was brother of SS. Allog and Dubhain, the patrons of the adjoining parish of Templetown.

the habit and crimson cross which constituted the distinguishing garb of the military brethren. Likewise, they had the right of sepulture in the churches or in the cemeteries attached to the Preceptories or Priories of the order.

Most of the Anglo-Normans who figured prominently in the first chapter of the Invasion were enrolled in this secular branch of 'the poor fellow-soldiers of Christ' (*pauperes commilitones Christi*), as the Knights were originally styled in the days of the Crusades. Amongst these we may mention the first Maurice Fitz-Gerald—half-brother of Robert FitzStephen—who followed the latter to Ireland with the second contingent of forces in 1169, of whom it is recorded that he died at Wexford in 1176, and was buried in the 'graveyard of the Templars.' In Hooker's day (1586) the chronicler states his monument was then to be seen in the monastery of the Grey Friars. The Franciscans, or Grey Friars, however, were not in Wexford till fifty years after FitzGerald's death, but the entry leads to the conjecture that the Friary cemetery originally belonged to the Templars. Raymond FitzGerald (surnamed *Le Gros*), nephew of the former, was likewise a member of the military Brotherhood, and was the founder of House-land Castle, which stood within about a mile of his feudal fortress in the peninsula of Hook. His estates, granted at the time of the Invasion, embraced a considerable portion of this part of the Co. Wexford, and remained in possession of the representatives of his family down to the Rebellion of 1641, when they were confiscated.

Richard de Clare (Strongbow), in his monumental effigy at Tintern Abbey (Monmouthshire), is represented wearing the mantle and tunic of the order. De Marisco, William Marshall (the great Earl of Pembroke) and his sons were all Templars. The recumbent monuments of the latter (the Marshalls) on the floor of the Temple Church, London, are considered to be the finest examples of Crusaders' tombs in existence. In this category we might include the names of other famous military adventurers who participated in furthering the Conquest in Ulster, Meath, and Cork, were it not that the scope of our essay is limited, mainly, to the south-eastern corner of Ireland, where the Anglo-Normans established their first and firmest foothold.

Although the Templars formed, primarily, a military organization, whose members were soldiers by profession,



we have no record of their taking any part in the national or political struggles that distracted Ireland during the reign of King John, or that of his son, Henry III. This was a period of strife and warfare within and without the English Pale. The Irish chiefs quarrelled and fought among themselves while the Anglo-Norman nobles followed suit. The only instance of interference, on the part of the Templars, was that recorded by the English historian, Matthew Paris, who states they were asked to act as mediators in the feud between Marisco, FitzGerald, and De Lacy, and Earl Richard (son of William Marshall, founder of Tintern Abbey). Their mediation, however, was not of much avail, since, at the scene of the conference,<sup>1</sup> the unfortunate Earl was treacherously attacked by De Lacy, and died of his wounds a few days afterwards. In English history we read that the Knights Templars were frequently assessed to provide men-at-arms for the defence of the kingdom, but always successfully resisted these claims by proving that they were exempted from such service by the royal charter of their order. In fact, their swords were never unsheathed save when called upon to do battle in the cause of the Holy See, and its interests in the wars of the Crusades.

Some ten years after they were founded, the original rules of the Templars were revised by St. Bernard, Abbot of Clairvaux, at the request of the Pope. In the remodelled form the adopted constitutions resembled somewhat in spirit those laid down by the same great ecclesiastical reformer for the Cistercians. The Knights took the triple vows of chastity, obedience, and poverty, after the manner of the Regular Canons. When living in their Preceptories and lesser houses, the life of the Templars was purely monastic. Their daily routine implied attendance at Holy Mass, the reading of the Scriptures, practices of self-denial and piety, and a special devotion to the Mother of God. To these were added the custom of manual labour and constant industry. This picture, of course, has reference only to their home-life. When summoned to the battle-fields of Palestine, the Knights were foremost in the ranks of the Christian soldiers. They were the bravest of the brave; and it was a common saying that 'the heart of a coward could never beat under the white mantle and red cross of a Templar.' In less than two centuries it was

<sup>1</sup> At the Curragh of Kildare.

computed that almost 20,000 members of the order perished in the wars of the Crusades.

On their return to Europe from the East, the Crusaders brought many holy traditions from the scenes of man's Redemption, and narratives of saints and martyrs of the early Church, of whose lives comparatively little was known at the time in Western Christendom. Interesting indications of this may still be traced in South Wexford, where, as we have seen, the order first took root and established several houses.

The Priory of Ballyhack, in the barony of Shelburne, which was a dependency of Kilclogan (a few miles distant), introduced the veneration of SS. James of Compostella and Catherine of Alexandria in the district—hence those saints became the adopted patrons of the parish of Ramsgrange, down to the present day.<sup>1</sup> In the same locality, at Neuque, a little promontory near the confluence of the Suir and Barrow, are the ruins of the fortified church of St. Catherine. Close by, at Dunbrody Abbey, 'Marisco's noble pile,' were side chapels in the transepts dedicated, respectively, to SS. James and Catherine. On the seashore adjacent to the castle of Houseland, in the parish of Templetown, about a mile distant from Redmond's Hall (now a Benedictine convent), is a holy well dedicated to St. Helen, where pilgrimages were wont to be held, in former days, on her festival, August 18. This remarkable saint of the early Church, who was mother of the Emperor Constantine, being divinely inspired, set out for Jerusalem in the year 326, and miraculously discovered the True Cross, with the relics of the Crucifixion, on the site of Mount Calvary. As patrons in Baptism, we may perhaps remark, in passing, that the names of those three saints (James, Catherine, and Helen) are as popular in Ireland as those of many of our national patrons—if not more so.

As we have previously noted, tradition ascribes Kerlogue, near Wexford, to the Knights Templars. In the Ordnance Survey Letters of the late John O'Donovan (Royal Irish Academy, Dublin), the following extract occurs after the description of the old ruined church: '*Thirty paces south of the old wall there is a well, and twenty-two yards south-east of this another called St. James's well, at which a pattern was annually held on St. James's day—some call this St. Tullog's.*'

<sup>1</sup> The church of Kilbride, in the parish of Ramsgrange, with seven caracutes of land, belonged to the Preceptory of Ballyhack.



Here we have, seemingly, a link between Kerlogue and the vanished church of the Templars beside the stream of Bishop's Water. Anyhow, the festivals of St. Dulogue and St. James were only four days apart, and perhaps honours might reasonably be divided between the two holy wells, described by O'Donovan (?).<sup>1</sup>

Were our pen to stray farther afield, we might recall other instances of memorials of SS. James and Catherine having existed elsewhere in Ireland—in localities where the military-religious orders of the Crusaders had settlements. We shall content ourselves with a reference to one, in the neighbourhood of Dublin, namely, Kilmainham. The Royal Hospital, founded in the reign of Charles II, now occupies the site of an important Priory of one of the Orders of Chivalry, in mediæval times. Some ancient writers ascribe the original foundation to the Knights of the Temple, but later authorities lean towards the belief that Kilmainham belonged to the Knights Hospitallers of St. John, and state that the Priory was established and endowed by Strongbow, about the year 1174. Be this as it may, it is clear that both were religious orders—both were military organizations, and both were originally instituted for the protection of Christians in the East, and for the performance of works of charity and mercy, in behalf of pilgrims journeying to the Holy Land. In rather close proximity to Kilmainham—within the old part of Dublin—there existed two venerable shrines, dating from the Middle Ages, and lying not far apart, which were dedicated to St. James of Compostella and to St. Catherine of Alexandria. These were the forerunners of the two beautiful Gothic churches of James's Street and Meath Street, which perpetuate the veneration of those two great saints of the Church at the present day.<sup>2</sup>

St. James, as our readers are aware, is the titular Patron of Spain, whither he set out to preach the Gospel when the Apostles dispersed from Jerusalem, after the first Pentecost. Here the resting-place of his body was miraculously revealed (after the lapse of eight centuries from the date of his martyrdom), near the obscure town of Compostella—which henceforth became the resort of pilgrims from every

<sup>1</sup>The altar table which remained intact in the ruined chapel of Kerlogue, was removed to the grounds of St. Bride's Church, Wexford, 1887. It now is used during public processions—on the festival of Corpus Christi, etc.

<sup>2</sup>The parishes of St. James, St. Catherine, and St. John (Kilmainham) were united in 1546 by George Browne, the reformed Archbishop of Dublin.

part of Christendom. History records the frequent apparition of the Apostle in the ranks of the Christian armies, in their desperate struggles with the infidel; his name, '*San Iago*,' was the battle-cry on many a bloody field, and to his aid the soldiers of the Cross were wont to ascribe many of their victories. Nowhere more than in Spain were the Templars enthusiastically honoured. Lands and wealth were lavished on their order, with a liberality exceeding that of any other country. At the close of the twelfth century the possessions of the Knights Templars in Europe are said to have exceeded 7,000 manors—more than one-half of these were situated in the Peninsula.

Again, the tomb of St. Catherine, in the monastery of St. Basil, on Mount Sinai, whither her body was transported after her martyrdom (A.D. 307), was for many centuries a magnet of great devotion in the Eastern Church. With the exception of the Holy Places, sanctified by the birth, sufferings, death, and resurrection of Our Divine Redeemer, scarcely any spot in Palestine was esteemed more sacred. About the year 550 the Emperor Justinian caused a noble basilica to be erected over the place where her remains were deposited. Here her shrine was visited by countless pilgrims, the numbers of whom were immensely increased owing to the intercourse between the East and West during the time of the Crusades.

The leaders of the Christian armies, in their protracted struggles to rescue the Holy Places from the power of the Saracens, failed not to invoke the blessing of St. Catherine on their standards, and regarded her as heavenly Protectress of the sacred cause for which they fought and died. Down to the seventeenth century and later the feast of the virgin-martyr of Alexandria was observed as a holiday of obligation, and its vigil as a fast day.

This somewhat lengthened digression will, perhaps, serve to explain some of the reasons that led to the special devotion accorded SS. James and Catherine in many parts of Ireland.

On the dissolution of the Order of the Knights Templars—by the Decree of the Council of Vienne (1312)—its possessions were given over to the Hospitallers of St. John, in whose hands they remained till the time of the Protestant Reformation. During the reigns of Henry VIII, Elizabeth and James I the estates formerly belonging to the Templars in the Co. Wexford were conferred, chiefly,



on the families of Loftus, Wallop and Chichester (now represented by the Marquis of Ely, the Earl of Portsmouth, and Lord Templemore), who retained them down to the early part of the present century. The greater portion of the lands, within the last few years, by the provisions of the Land Purchase Act, have become the property of the occupying tenants.

As we have already remarked, little or no records of the Irish houses of the Templars have come down to us. When the existence of their order came to an end it perished entirely, and hardly a fragment of historical information survives to gratify the student's curiosity.

We shall not attempt here more than a very brief notice of the origin of the Knights of the Temple of Jerusalem. Their history is part of the history of the Crusades, to which their deeds of heroism and religious enthusiasm supply many picturesque pages.

From the days of the Apostles, the pious custom of visiting the Holy Places prevailed among the faithful, and with the spread of Christianity to the West, pilgrimages to Jerusalem were not only approved of by the Church, but enriched with numerous indulgences. When Palestine came under the rule of the Arabian Caliphs, and later on was governed by the Fatimides of Egypt, pilgrims to the Holy Land were not interfered with; on the contrary, their visits were regarded as a source of revenue and commercial advantage. However, when the Turks conquered Palestine in 1065, the hospitality of the previous rulers of the country gave place to oppression and acts of cruelty on the part of the Mohammedans. Soon the accounts of the atrocities inflicted on the Christians resounded over Europe and aroused such a feeling of indignation that the nations of Christendom rose to arms, and engaged in the protracted wars of Palestine, that occupied the arena of mediæval history for almost two hundred years.

In 1095 Pope Urban II decreed the first Crusade which, after four years, resulted in the re-capture of Jerusalem, under the leadership of Godfrey de Bouillon. He was proclaimed King of the Holy City, which, for eighty-seven years subsequently, was ruled by Christian Sovereigns. But, for a considerable period, the pilgrim's road between Jerusalem and the port of Acre remained unsafe for travellers, owing to the constant dangers to which they were exposed

from the Saracen bandits that infested the country. At length, about 1118, a young French Knight—Hughes de Payens—who had made a pilgrimage to the Holy Sepulchre and experienced the difficulties that existed, enlisted the co-operation of a few companions in forming a mounted guard for the purpose of protecting wayfarers on their perilous journeys to and from the Holy City. The project was hailed with admiration. A wing of the Palace of the Latin Kings was given to the Knights by Baldwin II, as a residence, and a church that stood on the site of the Temple of Solomon set apart for their use; hence they received the name of Knights of the Temple of Jerusalem. During the session of the General Council of Troyes (1128) Pope Honorius II confirmed the order, and assigned to the military Brotherhood a code of rules, drawn up by St. Bernard of Clairvaux. These constitutions provided that the Knights should be of noble birth, their attendants being styled *esquires* and *servitors*. The fame of their exploits drew numbers of princes and nobles to join their ranks, and also led the Sovereigns of Europe to bestow estates and other valuable endowments on the order.

During the interval between the Second and Third Crusades most of the Templars returned to Europe, when they busied themselves in developing the splendid foundations which they had acquired in various countries. Their vast possessions and supposed wealth, as well as the privileges and favours bestowed on the order by the Holy See, soon awakened jealousy and hostility. Plots and intrigues were set on foot. The initial step towards the overthrow of the Templars was undertaken by Philip the Fair of France, whose envious cravings for their wealth was well known. His son-in-law, Edward II of England, was not slow in following his example. Both kings were needy at the time, owing to the incessant demands of the wars that marked their reigns. The doubtful charges brought against some of the leading members, and the persecutions that followed, culminated in the suppression of the Order of the Templars, by the decree of the General Council of Vienne (France), in 1312.

Thus came to an end the existence of, probably, the finest body of soldiers that the world had ever seen, and whose valour in the service of the Cross and devotion to the cause of the Holy See had long been the admiration of Christendom.



In the light of subsequent history, the extraordinary charges brought against the Templars by their enemies have been regarded by most authorities as gravely exaggerated, and the arbitrary destruction of their order as one of the saddest instances of political injustice on record. Their tragic fate verifies the lines of the great poet, who tells us

The evil that men do lives after them;  
The good is oft interred with their bones.

Once again, in the yesterday of our own time, Palestine has come under Christian domination, after the lapse of more than seven centuries. This historic event, naturally, recalls memories of the Crusaders and of the sacred cause for which they fought and died. At such a moment, perhaps, the subject of our cursory sketch may revive a transient gleam of interest in the story of one of the noblest Orders of the Age of Chivalry—the Knights of the Temple of Jerusalem.

JOHN B. CULLEN.

# NOTES ON THE PSYCHOLOGY OF RELIGIOUS EXPERIENCE

By JOHN HOWLEY, M.A.

## V

### CONVERSION AND THE NEW BIRTH

MOST, if not all, of the conversions we have been studying presuppose in the converted the existence of religious faith as a psychic element. The system of missions or retreats based on the Spiritual Exercises takes the creeds of the Church as the starting-point, to be developed and applied by meditation to the reform of life. The revivalist usually limits his dogmatic presuppositions, yet, although he regards religious faith as *fiducia* and not as *fides*, he takes as his fulcrum an idea of Sin and Redemption, both credal elements. The Revivalist and the Jesuit may differ as to what must be believed, but both assume beliefs of some sort as necessary prolegomena to their different religious exercises. The conversions they effect are rather the development and practical application of existing speculative beliefs than the formation of a new system of faith. The Catholic whom the mission brings from sin to regularity of life and religious practice may possibly be much better instructed in the Catholic faith than he was before, but he has not acquired a new faith, he only knows more about it and practises it better. The revival convert may have gained religious fervour and perhaps some views, he may be led to study his Bible and become a member of some Church, but his essential dogmatic outlook remains much the same. The change in the religious field of consciousness in all these cases is rather a rearrangement of existing psychic elements and their reinforcement, than the formation of new constituents. Hence there is a very great difference between these ordinary cases of conversion, whatever be their violence



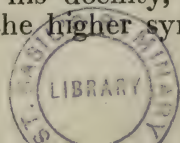
or eccentricity, and those where there is a passage from infidelity to Christianity or from Protestantism to Catholicity. Here the change involved is much more than a mere shaking of the psychic kaleidoscope, the new pattern has new elements in it.

De Fursac, in his account of the Evan Roberts' Revival,<sup>1</sup> admits the conversion of certain atheists, but he seems to regard them as poseurs and notoriety-hunters. He is not at all disposed to admit the possibility of the conversion of a genuine agnostic, nor is it easy to see how he could admit it consistently with his system. Faith implies an adhesion to the unknowable, a stepping beyond the frontiers of conscious knowledge by the will, and that with a certitude exceeding knowledge in the firmness of its adhesion. 'For he that cometh to God, must believe that He is, and is a rewarder to them that seek Him' (Hebrews xi. 6). A man must himself accept the first article of the Christian creed before he can acknowledge the possibility of a real conversion of a genuine agnostic, otherwise he must deny or explain it away as a subjective delusion or a conscious fraud. Either course is fairly easy and plausible, if you are allowed to beg the question and brush aside inconvenient testimony.

We propose to confine our study of the psychic mechanism involved in an act of faith and its genesis to Catholic religious experience, as we find there the best marked psychologic types. It is *fides* not *fiducia* we are examining, and Protestant religious experience is too fluctuating in its dogmatic content to furnish suitable material. It would be difficult to include Oxford, Hereford, Cardiff, and Belfast in the same diocese. The reaction of the Protestant consciousness to dogma is varied, not merely by subjective conditions, which we are studying, but by credal variations, which are outside the field of our inquiry. By taking a uniform creed we can get rid of this source of variation and so, to some extent, simplify matters. We are studying faith as a fact of consciousness, its ultimate nature and origin belong to the sphere of theology, not psychology. We will merely take beliefs as psychic facts and examine how they affect and are affected by the various elements which, with them, make up the field of consciousness.

<sup>1</sup> De Fursac, *Un Mouvement Mystique Contemporain*, Paris, p. 77.

Psychologically, belief is second-hand knowledge. There are many things which we hold to be true of which we have no direct experience giving immediate knowledge or inference from experience constituting scientific knowledge. We know them because someone else who knows has told us. We accept them as truths on trust. If we analysed the whole content of our knowledge we would find an act of faith at the bottom of the vast bulk of it. How much of what we know of geography have we ever personally verified; for us it will remain faith, from school-desk to grave. Between this natural and normal exercise of faith and religious faith, there is no difference as far as both are assents on another's authority. Even where the truth propounded seems improbable, if the authority is considered competent and reliable, assent follows. If A knows that B is a truthful and capable man of science, he will be willing to accept, on B's authority, any statement, however extraordinary, which B assures him he has personally verified. The only case where this natural faith would fail is when the truth enunciated by B seems to A to involve a contradiction with some known truth. But if B assures A that the contradiction is only apparent, not real, and due to A's lack of scientific training, A will still be able to believe, but with a difference. He cannot accommodate the new proposition to his existent field of consciousness, he can accept it in itself by forgetting, that is ignoring, what contradicts it. It becomes a mystery. Before he can heartily accept it, the rough edges must be removed, and he must be shown how to fit it in with the other elements of consciousness. He must be shown some larger synthesis which can comprise the discordant ideas, although his mind may be unable to understand how. The conflict between his personal idea and B's theorem will cease when B assures him that the seeming contradiction can be reconciled in a second truth which includes both and from which both proceed. Although A may not understand how this can be, yet if he has full confidence in B's knowledge he can reconcile his consciousness to the presence of what he would otherwise regard as a contradiction. We are supposing, of course, that A has some docility and is not set on maintaining his own opinions against competent authority. He will bear the seeming contradiction with facility in proportion to his docility, for he will refer its elements confidently to the higher synthesis,





and this confident reference will lessen their mutual psychic pressure and friction.

Being thus enabled to keep both members of the seeming contradiction in his field of consciousness, A is enabled to make practical use of them, and thus the new truth received from B can be readily utilized. If A could not tolerate it by reference to the higher synthesis, he would be driven by the force of his pre-existent ideas to exclude it from consciousness, or did he desire to utilize it, it would be against the grain. You cannot live a contradiction. Again, if by any chance A should lose confidence in B's knowledge, veracity, or goodwill, the whole new structure would collapse, for the grounds on which he accepted the discordant idea would disappear, the will to believe would cease. But while the will to believe remained, was A's conduct in any way unreasonable? Would it have been reasonable for him to match his wits against his teacher and say, 'Because I cannot reconcile what you tell me with what I know already, it must be false?'

If, for the human teacher in this natural act of faith, we substitute a Divine Teacher, teaching men directly, the reasonableness of belief is not only assured but perfected, for where can doubt come in as to knowledge, veracity, and good-will on the side of the teacher? Yet, even here, the assent remains a voluntary act on the side of the person taught, for the truth propounded by the teacher need not be evident in itself, or as a conclusion from certain knowledge. The doctrine cannot command assent intrinsically, it can only exact assent by the moral force of authority. But who can doubt that such knowledge would exceed in certainty any mere human science?

Where such Divine teaching comes to man, not directly but through human agency, we can surely give, with every reasonableness, the same complete assent, if we are but sure that the human agency is duly recognised, commissioned, and commanded to teach in the Name and by the authority of the Divine Master. Where the Master's veracity is unquestionable and His power unquestioned, such a commission, once authenticated, is a guarantee that whatsoever is taught by those He sent 'to teach all nations' is His teaching. 'He that heareth you, heareth Me; and he that despiseth you, despiseth Me. And he that despiseth Me, despiseth Him that sent Me' (Luke x. 16).

'He that receiveth you, receiveth Me; and he that receiveth Me, receiveth Him that sent Me' (Matthew x. 40).

Once we recognize and acknowledge within ourselves that the Catholic Church is the duly commissioned human agency through which the Divine Teacher instructs us, we can reasonably give as cordial an assent to its teaching as we would give to the Word of God Himself speaking directly to our consciousness. An ambassador may fail to deliver an earthly monarch's message with accuracy, and we may reasonably doubt at times the King's meaning, but the 'Creator of all things visible and invisible' is Lord of the very roots of being, and His Minister Plenipotentiary cannot fail to say what it is the Master's Will that he should say, no more and no less.

We are not here concerned to discuss how the Catholic verifies the credentials of the Church, that belongs to the domain of apologetics, not of psychology. We assume that these credentials are verifiable and verified, as the case may be. Our task will be to examine the various resultant assents with their corollaries as part of the given of consciousness and see how they interact with the rest of the field, how they come into being as psychic elements or pass out of consciousness, how religious faith comes and goes.

Our field of consciousness has, as we have seen, a certain visual unity. All our thoughts, images, volitions, passions, sensations tend to group themselves round some one centre of interest in each particular state of consciousness that we examine. That centre of interest forms the focus of our spontaneous attention, should it shift there is a change more or less marked in the whole field. The devout parishioner who is carefully following the Mass in his missal, brings into his field of mental view the various liturgical ideas which cluster round the Mass, the prayers and ceremonies, the chant and music it may also be. His field, in the main, is a liturgical complex, with all its multiplex doctrinal and devotional associations. The precise focus of his attention will shift as the action progresses, and so will the general field, but its general character will remain the same, and it will take its colour and tone from the centre of interest, the liturgy. Now, let some vivid distraction intrude, some vexatious reminiscences which start a train of worldly thoughts. If the original centre of attention holds firm, if the interest in the liturgy is



sustained, the distractions may worry for a while near that centre, but are gradually edged off until they pass out of the field of view. But should they succeed not only in attracting but in holding our interest, then the liturgical elements drop out of consciousness, and the tone of the whole field becomes secular, the distraction has become complete. For the time being the religious field of consciousness has passed out of view and a secular field has replaced it. By an effort of conative attention we may divert the focus of our mind from the distraction and bring it back to that point of the Mass which is in progress, thus shifting back the field, but such an effort must needs be strenuous when the distracting thoughts are of much interest to us and have been allowed free play. Our sense of the duty of attentive prayer may help us to recover our mental place, just as any vivid emotion roused by the secular train of ideas may hopelessly obstruct us. The power to distract, the power to excite a devotion which is apparent in consciousness, is, psychologically speaking, the power to excite spontaneous interest. That which holds our spontaneous interest determines for the nonce the centre of our field of consciousness and its general tones. Now, interest is not the same as delectation, for a vivid interest may well be very painful, so this determination of the field by interest is not the same as the victorious delectation of the Jansenist. Moreover, it only determines the spontaneous attention, conative attention can largely shape and alter the resultant field. Still this attraction, and especially in the nascent state, is such a power in consciousness that it is a commonplace of ascetical experience that distractions, unless promptly expelled, tend to oust prayer from consciousness altogether. So effectively troublesome are they that St. Teresa considered that to acquire the habit of recollection in prayer 'one must not grow tired of persevering in trying gradually to obtain the mastery over oneself. This self-denial will profit any nun by making her senses serve her soul. . . For the love of God, Sisters, reckon your time well spent in acquiring this habit. I, know that, with His help, if you practise it for a year, or perhaps for only six months, you will gain it.'<sup>1</sup> Recollection, in St. Teresa's sense, is the power to pray, not without distractions, but without being liable to be over-

<sup>1</sup> St. Teresa, *Way of Perfection*, chap. xxix. 6.

come by distractions. It is the acquirement of a conative attention so energetic that the religious field is kept intact and consistent amid all possible disturbances. If *her nuns* needed a year, or at least six months, of spiritual exercise to gain this power of self-concentration, how psychically energetic the distraction must be as compared with prayer ! But who that has prayed has not experienced this ?

We have seen how potent is the new idea springing into consciousness. It is a change, and we are curiously avid of change. The idea effects a lodgment before we are well aware of its nature, and our spontaneous attention is hooked before the automatic attention of mere curiosity has had time to die down. Once we are interested our whole field tends to shift so as to leave the new notion in the focus. If it is incompatible with a religious frame of mind there is conflict and possible rout. 'No man can serve two masters,' no one can rest in God with an admiring eye on the world. One interest must oust the other.

How was it, psychologically, that a distraction or temptation is able to break up a religious field of consciousness with such facility ? To answer this question we must examine more closely the structure of the religious field and see wherein it differs from the secular field of consciousness. We have seen how the dynamism of the nascent idea can disturb the centres of instability in the normal consciousness ; we will find both factors of change strengthened in the specifically religious consciousness. Besides those psychic elements which constitute the normal field, we have all those others which come into the category of faith and its adjuncts. Between the latter and the former there are many sources of friction, conflicts between our passions and our religious obligations, between our scientific theories and the articles of the Creed, between our vicious propensities and our spiritual aspirations. We have a row with our parish priest and get doubts as to the infallibility of the Church. All through our mental make-up there are points of conflict. It goes against our grain to fast, to confess our sins to some priest who does not share our political views or whose conversation we do not relish. Countless are the possible points of friction, all tending to form possible centres of instability. The more worldly and external are our lives, the more extroverted are our proper selves, the more are these centres multiplied.



The miracle is, not that the worldly Catholic loses the faith, but that he does not.

Within the specifically religious, as distinct from the general field of consciousness, there are many possibilities of centres of instability. We will take the religious field as actualized in some prayer or meditation, so as to consider it apart from the general field which it interpenetrates more or less. In any well-developed religious exercise we get a concentration of the given of faith in consciousness, we get the centre of attention, spontaneous or conative, fixed on some faith-element of consciousness seen in its appropriate setting.

The first point to remark is the extraordinary potential richness and variety in this specifically religious field. The central point of attention may be only one fact of faith, but for the Catholic no one fact of faith is ever solitary, it is linked up with every dogma and sends out fibres into every pious practice. The Catholic faith is a psychic *bloc*, it has no water-tight compartments or autonomous tracts. Our attention may shift from one fact of faith to another and our conscious field vary accordingly, but we see in the measure of our knowledge that such element is part of one great whole. Our field becomes as it were the surface of a sphere where each point, each outline is related to a centre beyond our vision, yet towards which our vision is ever tending and striving.

This variety in unity and unity in variety of the given of faith in the Catholic consciousness appear in every expression of the Catholic faith which we find in Creeds, in liturgy, in ascetics, in the *Summa* of Aquinas, in a High Mass, in *The Imitation of Christ*, in a Gothic cathedral, and in the *Divina Commedia*. The faith is one, not merely in the original deposit, but in all the developments which the Catholic mind has drawn from the facts of faith since Apostolic times. There has been an ever-increasing richness in the content of the Catholic consciousness and an ever-growing sense of unity of mind as the inter-relation of each deduction and application of dogma is perceived. What is heresy but some alleged deduction from the facts of faith which the Catholic consciousness cannot assimilate and unite with its content? There is some irreducible antagonism with the given of faith or its corollaries; the collective Catholic consciousness expels the novelty, and the individual must do likewise. He may not see how

the new idea conflicts with his existent field, but sooner or later it will worry it to pieces. Heresy begins in an apologetic and ends in a cataclysm. A Catholic desires to meet the objections of modern agnostics, he makes play with a doctrine of immanence and, before he knows it, he has not left one article of the Creed unshaken. Terrible is the unity of the faith in the Catholic consciousness, at once so strong and so fragile, no force can crush it, one doubt can shatter it.

This linkage of the faith-elements in consciousness which constitutes their psychologic unity, whether perceived or not, is one great source of those centres of instability in the psychic mass; the other is found in the antagonism between the natural temperament and the exigencies of faith, the passions and the duties of religion. If our dispositions to pride, to avarice, to lust, to hatred, envy, and sloth come in conflict with those duties which our faith enjoins and enacts, we have a state of conscious stress set up. Our lower self may prevail, and by prevailing grow dominant. The man to whom grave sin has become a habit, may yet retain his faith, but its force in his consciousness, its energy in shaping his life, grows less and less. If he continues it sinks into the oblivion of the deeper memory and he becomes, for all practical purposes, as a man without faith. Yet it is there, and may be recalled by some such process as we studied in the conversion psychose. But suppose, before this sinner's faith drops into practical oblivion, some doubt as to its validity is suggested to his mind stressed to psychic disintegration by his passions, we have all the conditions present for a violent perversion-psychose. Passion is doubt's most terrible ally. Although this source of faith-failure is perhaps the more abundant, weakness in the linkages is more important from the point of view of our study, since the passion perversion-psychose depends for its crisis on a shattered linkage.

The points where the psychic elements of faith interlock are not all in the same psychic plane. We have, as it were, on the surface of our sphere of faith those facts of faith which belong to the deposit with all those moral, liturgical, devotional, and sacramental concomitants which are psychologically allied to them and accompany them into that special field which is formed when any of these facts of faith are focussed by our attention, spontaneous or



conative. Behind this surface of the sphere lies the whole region of theological and ascetical deduction and inference, with their developments. It is in this region that we find the wider synthesis which enables us to mentally connect the seemingly disparate elements on the surface of our sphere. Here we resolve the doubts which might wreck the surface linkage, and see the reasonableness of the apparently irrational. Again, from the conclusions of theology we direct and govern external action, and from the principles which that science abstracts from the facts of faith, we get a clearer and more vivid knowledge of these facts, *Credo ut intelligam*. If we fail to accommodate the conclusions of theology with the facts of faith, we have at once a centre of instability formed. If we adhere to our conclusions we must reject or modify the fact, unless we can refer both fact and conclusion to a still higher synthesis. If this reference cannot be made and we still adhere to our inference, we are forced to choose between the facts of faith which we accept and those which we reject. Should we make this choice, we are heretics (*αἵρεσις* = choice). We have rent the seamless garment of the given of faith.

If we take any historic heresy we will find the heresiarch started as a Catholic of exceptional orthodoxy. Some aspects in the facts of faith impressed him vividly, and he drew from them some too absolute conclusion. He formulated and preached this in season and out of season, until some one pointed out that his doctrine was in conflict with some other fact of faith. Put to the choice the heresiarch adheres to his view and challenges the opposing fact of faith. His opponents denounce his doctrine as heresy, and if it is not wholly irreconcilable reduce the peccant formula to one which retains the truth and does not conflict with other facts of faith. Thus does a new definition come into being and faith is developed by the correction of heresy.

So, too, is the given of faith developed by the discussions in the schools of theology, and conclusions from the facts of faith connected and inter-related. In everyday meditation the same process takes place consciously or unconsciously, and the Catholic mind tries to understand more and more the facts of faith and apply them to daily life. The analytical factor in our consciousness selects certain aspects from the concrete given of faith and collates

these aspects with the content, religious and secular, of consciousness. We analyse and compare these abstract views and refer our results to the original facts of faith or to others. Our abstractions may conflict with our secular knowledge, we must correct one or the other, or seek a higher unifying synthesis. If we fail we have a centre of instability formed. A physical theory may raise doubts as to the nature of the Eucharist, a system of metaphysics may destroy the whole creed. Thus at every period of abstraction, at every stage of psychic depth we have possibilities of a failure of some linkage, of the creation of some centre of instability

Philosophical analysis may readily render unacceptable what was acceptable in the concrete form by releasing some aspect in consciousness incompatible with existing knowledge. The study of theology has its dangers as well as its consolations. How many students of theology have had their simple faith wrecked by a view of certain aspects of dogma for which they were not yet intellectually equipped? A simple error in values, a failure to grasp the answer to a difficulty, and you have both centre of instability and nascent idea. The objection comes as a surprise and as an irritant, and may well take hold before the victim has received sufficient instruction to cope with it effectively. And what may happen in authorized study, may more readily come to pass in the course of desultory reading. The medical or arts student is still less equipped to deal with an objection a shade beyond his fighting weight, and the man in the street is quite helpless.

What tends to destroy faith in the Catholic forms an obstacle to its entrance into the non-Catholic consciousness. The unbeliever may be vehemently attracted by certain aspects of the faith, by its moral grandeur and beauty, by its influence on the lives of those who profess it, by its overflow in liturgy and art, by its consistency and uniformity. He may be even drawn by a sense of personal want, of incompleteness, of a desired ideal beyond his personal capacity, and he may feel that the Catholic Church can give him what he lacks, that 'faith will make him whole.' Yet he cannot equate the doctrines of the Church with his scientific prejudices; he has the will-to-believe, yet he cannot. Though faith is so morally desirable, yet its reception would lead to the collapse of his scientific cosmos. From his facts of experience he has abstracted



a system of determinism, physical and psychic, which leaves no room for the miraculous or supernatural. A miracle is an irritating phenomenon which he cannot explain. Could he witness one he would deny the evidence of his senses, rather than admit that his fixed idea was too absolute, his generalization too sweepingly dogmatic. We see this attitude of mind again and again at Lourdes. The philosophical system beats back the facts of experience from consciousness and forbids them to effect a lodgment.<sup>1</sup> Some are in bad faith, 'le miracle est le coup de glas des passions terrestres,' as Huysmans puts it; others are simply fenced by the triple brass of determinism. Behind all their minds is the tacit rejection of the first article of the Nicene Creed. They substitute determinism for the idea of a Creator. 'He who would come to God must first believe that He is.'

The essential reasonableness of any act of Catholic faith rests on the fundamental acknowledgment of a Divine Teacher whose authentic message is duly conveyed and interpreted by His authorized agents duly commissioned and certified by Him. 'He that heareth you, heareth Me.' Without that basic primal assent no act of faith in the Catholic sense is possible. We may cling with the utmost obstinacy to any article of the Creed we will, it will be only a *view* at best, if we do not hold it on the authority of God Himself.

If we reject one jot or tittle of the Teacher's message, our belief in what is left becomes but a view, for we have implicitly rejected the Teacher Himself when we arrogate to ourselves the right to pick and choose among the things He teaches. It is all or nothing. If we challenge the agent, we challenge the Principal. 'He that despiseth you, despiseth Me.' One act of infidelity changes the whole orientation of the religious consciousness, faith becomes opinion.<sup>2</sup>

But, given this basis, how can we account psychologically for the fragility of faith, for the difficulty of belief, for the facility with which it goes, the reluctance with which it comes? If there is the will, nay, the desire to believe, if habits of vice present no obstacles, if there is a moral docility, how can we, as students of psychology, account for the *Non Serviam* of the intellect in so many cases? Assent on competent authority to what is beyond our

<sup>1</sup> Cf. *Les Foules de Lourdes* of J. K. Huysmans.

<sup>2</sup> *Summa Theologica*, D. Thomas Aquinatis, IIa, IIac, Q. 5a. 3.

mental grasp is so eminently reasonable, that the 'I cannot believe' of the man of good-will is an act of unreason. Yet there are many agnostics of blameless life and character, who are drawn to Catholicism in many ways, who realize in themselves a craving for what is beyond themselves, who feel that the Church holds the keys of eternal life, the reconciliation of the storm-tossed human consciousness with itself and its Centre, that peace which was promised on that first Christmas night to men of good-will, who see in the lives of the saints, perhaps in some friend, the pragmatic authentication of the Church's mission, integral Catholicism in human life with its dreadful moral beauty, its triumphant challenge to all that men esteem and covet in the things of time, who see the might of Faith in history creating those supermen and superwomen whom Catholics call saints, taming and civilizing the fiercest barbarians and hammering them into mighty nations, giving to art and letters a beauty undreamt of in Athens, and linking the whole human race in one vast family, who yet see and feel all this, but cannot believe. They will even admit that they ought to believe if they could. How comes this psychic inability? Belief is reasonable and desirable, why is it withheld? They will answer, 'I have not faith.' There is some ingredient lacking, some force which can condense the nebula of opinion into the habitable world of faith. Their assent to the basic *sine qua non* of Catholic faith is a notional assent, genuine enough, but abstract, a philosophical attitude, a morally passive pose before the undeniable. It is not a real assent, actuating and energizing the whole consciousness, forming in the very centre of mental life that higher synthesis to which all seeming contradictions can be referred and in which they can be reconciled. No mere reasoned assent can do this effectively, for no stream can rise above its source. The affirmations of reason cannot escape the challenge of reason. To get this basic assent we must pass above reason; to make our rational assent universally operative it needs an adjutant psychic element, something not ours, but given to us. 'Quis ostendit nobis bona? Signatum est super nos lumen vultus tui Domine' (Psalm iv. 6, 7).

We can thus see the necessity for the terms italicized in the following theological definition: 'Fidei actus est assensus *supernaturalis* quo intellectus, sub imperio voluntatis



*et influxu gratiae*, firmiter adhaeret veritatibus revelatis propter auctoritatem Dei revelantis.<sup>1</sup>

Omit these terms and we have still an act of faith, but of natural human faith, *la foi scientifique*, as Père A. Gardeil terms it.<sup>2</sup> Between this natural faith and the faith specified in the definition there is a great theological gulf fixed. But is there a psychological difference, can we distinguish by the introspection of our consciousness during any act of faith between these two kinds of faith, can we detect the adjuvant psychic element or note its absence? The agnostic of good will is sure it is absent in his case, and the believer is confident of its presence. With both it is an inference, not a direct psychic perception. The one cannot elicit an assent, the other feels that his assent transcends his natural powers in its absolute sense of certitude and indefectibility. From the act or its absence they infer the presence or absence of the habit or proximate principle of action.<sup>3</sup> A man knows he has faith when he believes. But can he tell, otherwise than by inference, that his act of faith is supernatural, *sub influxu gratiae*? St. Thomas answers our question both as theologian and psychologist.<sup>4</sup> Speaking of the conjectural knowledge of grace, he adds: 'Secundum quem modum potest intelligi quod habetur Apocal. 2: *Vincenti dabo manna absconditum, quod nemo novit, nisi qui accipit*; quia scilicet ille, qui accipit gratiam per quamdam experientiam dulcedinis novit, quam non experitur ille, qui non accipit. Ista tamen cognitio imperfecta est: unde Apostolus dicit 1, ad Cor. 4: *Nihil mihi conscius sum, sed non in hoc justificatus sum*: quia ut dicitur in Ps. 18: *Delicta quis intelligit? ab occultis*,' etc.

The inference we would desire to draw from this statement, which, of course, in the main refers to charity, not faith, is that the influx of grace may well cause such a psychic overflow, may have such a marked repercussion in our consciousness as to give a quasi-intuition of what is essentially beyond the range of our mental vision. In any *intense* act of supernatural faith we get something more than a mere mental assent to some truth, however firm,

<sup>1</sup> *Brevior Synopsis Theol. Dogm. auct.* Ad. Tanquerey, 1913, p. 135.

<sup>2</sup> R. P. A. Gardiel, *La crédibilité et l'Apologétique*, Paris: Lecoffre, 1912, p. 38.

<sup>3</sup> *Summa Theologiae*, D. Thomae, I, Q. 87 a. 2 ad primum et corpus articuli.

<sup>4</sup> *Ibid.* Ia, IIac, Q. 112 a. 5 c.

we get a quasi-intuition of the truth itself. Our consciousness, as it were, stretches out beyond its borders into the super-conscious, and we get a real though dim and confused glimpse of the Beyond. Here is the borderland between the ordinary way in the spiritual life of Catholics and the paths of mystical experience. The more intense the act of faith the more experimentally evident becomes the psychic adjuvant and the more marked the distinction from any act of merely human confidence; the feebler it becomes the less is it differentiated, and perfunctory formalism is psychologically indistinguishable. No one can read the writings of St. John of the Cross, of St. Teresa, of Blessed Angela of Foligno or any other descriptive mystic without seeing that, for them, faith is something more than a mere intellectual assent to revealed truth, it has something of the nature of vision, 'in a glass darkly,' but vision all the same. It is the seed which fell upon the good soil, ripe for the harvest.

It is not easy to reduce the act of faith of the devout Irish Catholic in the Real Presence to the limits of a mere firm assent to a truth learned in the penny Catechism. It contains in it something of a dim vision of Transcendent Reality and rises, at times, to be a sixth and spiritual sense.

The girl of whom we have spoken, rose early every morning to hear Mass and receive Holy Communion. On one occasion she rose and dressed at the usual hour, but, either because she did not feel well, or because she did not consider it prudent to leave the little patient alone, she did not go to the chapel, but remained in the kitchen of the cottage. When she returned to Nellie, she was astonished to hear her say: 'You did not get Holy God to-day; I'll tell Mudder on you.' The girl thought that perhaps the child had heard her moving about in the kitchen. Accordingly, next time an idea occurred to her to test little Nellie. She went to the door of the cottage, opened the latch, and closed the door again, thus giving the impression, as she thought, that she had really gone to Mass. She then removed her boots, and during Mass time moved about as little as possible in the kitchen. She looked quite unconcerned when she returned to Nellie's room. The child, however, fixed her pensive eyes on the girl's countenance, and then the same reproving words were spoken sadly: 'You did not get Holy God to-day.' 'How do you know, lovey,' said the girl, 'didn't you hear me close the door?' 'No matter,' said the child, 'I know you didn't get Holy God.'<sup>1</sup>

The Venerable Anne de Jesus, St. Teresa's companion and lieutenant, visiting one day a parish church, insisted

<sup>1</sup> *Little Nellie of Holy God: Story of the Life of a saintly Irish Child*, by a Priest of the Diocese of Cork. Cork: Guy & Co., 1913, p. 23.



that the Blessed Sacrament was not reserved. The parish priest declared it was, but on her continued protest, he opened the Tabernacle, and then discovered that owing to his neglect, the Sacred Species had become corrupted.

We have given these two cases of abnormal recognition of external reality to show that in certain extraordinary cases, the act of faith is transcendent as well as immanent, it has the element of vision. The faith of the Carmelite nun, of the little sick child, went out in its fullness to an external Reality, but it could not find this Reality. This class of experience, of course, belongs to the mystical order, but it is, nevertheless, an experience of faith. These abnormal cases enable us to see in quasi-isolation certain psychic elements latent in the ordinary processes, and thus have a certain value for the psychologist. In normal psychology, these limit cases are usually morbid, and Ribot justifies their consideration. 'La maladie est en effet une experimentation de l'ordre le plus subtil, instituée par la nature elle même dans des circonstances bien déterminées et avec des procédés dont l'art humain ne dispose pas : elle atteint l'inaccessible.'<sup>1</sup> In religious psychology we find a similarly useful class of cases in the records of mystical experience. There we find the act of faith at its extreme intensity, and can see, as it were, the reflection in consciousness of other psychic elements than those normally attainable by introspection.

This dim quasi-intuition in an intense act of faith seems to point to the existence of a psychic region normally beyond consciousness, yet, in certain privileged cases, dimly penetrable by consciousness. This is the *ground* or *depth* of Tauler, the *apex mentis* of Blossius, the *fine point de l'esprit* of St. Francis de Sales, the *intelligentia* of Blessed Albertus Magnus—the names vary for this ultra-violet region of mental vision. St. Paul would seem to refer to it in 1 Thessalonians (v. 23) and Hebrews (iv. 12), where the distinction of *πνεῦμα*, *ψυχὴ* and *σῶμα* is rather psychological than ontological.

Body, soul and spirit are aspects of the whole man rather than physical constituents. The division of soul and spirit is a well-known mystical experience in the prayer of quiet.<sup>2</sup>

If we posit, then, the existence in this supra-conscious region of a metanoetic element, constituting part of the given

<sup>1</sup> Quoted in De la Vaissière, *Elements de Psych. Exp.*, p. 27. See also James, *Varieties of Religious Experience*, p. 22.

<sup>2</sup> Cf. St. Teresa, *Interior Castle*, IV, chap. i. 8, etc.

of faith, and forming in itself that higher synthesis to which all seeming contradictions in the facts of faith can be referred, and in which they can all be reconciled, we have an adequate cause, given, of course, the will-to-believe, for that absolute unity and consistency of belief, for that unalterable firmness of adhesion, for that sense of indefectible certitude, which are the psychological notes of Catholic faith. As psychologists, we claim to infer its existence from the facts of experience, from the normal phenomena of Catholic spiritual life, and from the more recondite experience recorded by great descriptive mystics like St. Teresa. We are but doing in psychology what Adams and Leverrier did in astronomy, infer the nature and position of the invisible from the perturbations observed in the visible.

We are not here considering the possible reinforcement of the will-to-believe by some higher principle as it does not affect the *psychological* character of the act of faith. The supernaturalization of the voluntary factor in faith is, of course, of the first importance, from the point of view of the theologian, the influx of grace affecting the whole act, as it is the product of intelligence and will, but it does not concern the psychologist to any such extent. 'Cum autem fides sit perfectio intellectus, illud per se ad fidem pertinet, quod pertinet ad intellectum ; quod autem pertinet ad voluntatem, non per se pertinet ad fidem ; ita quod per hoc fidei habitus possit diversificari ; distinctio autem fidei formatae, et informis est secundum id, quod pertinet ad voluntatem, idest secundum charitatem, non autem secundum illud, quod pertinet ad intellectum ; unde fides formata, et informis non sunt diversi habitus.'<sup>1</sup> Thus, in the *actus fidei informis*, we must look for its specific character, as we have done, on the intellectual rather than on the voluntary side, otherwise it is very difficult to see any psychological distinction between an act of Catholic faith, and an act of purely natural or 'scientific' faith. In the *actus fidei formatae*, the supernaturalization of the will-to-believe by charity may have some interest for the psychologist studying certain mystical experiences ; but we must remember, charity is ever more hidden than faith. 'Omnia haec tractavi in corde meo, ut curiose intelligerem ; sunt justi atque sapientes et opera eorum in manu Dei : et tamen nescit homo utrum amore an odio dignus sit' (Ecclesiastes ix. 1).

<sup>1</sup> *Summa Theologiae*, D. Thomas, IIa, IIae, Q. 4 a. 4 c. ad finem.



We can see in the classic instance of Theodore Jouffroy that the will-to-believe cannot save the psychic sphere of faith from total collapse. We have his own account of the crisis of his perversion-psychose :—

I will never forget that December night when the veil was rent which concealed my unbelief from my own self. I can still hear my steps in that small unfurnished room when, long after bedtime, I used to walk up and down; I can still see that moon shining through the clouds on to its floor. The night hours passed unnoticed by me; I was anxiously pursuing the train of thought which passed from level to level to the very depths of my consciousness, clearing away, one after another, the illusions which hid it from me until that moment, making all its details clearer at every instant. Vainly I clung to those last beliefs as to a plank in shipwreck; vainly, in terror at the unknown void beneath, I flung myself for the last time with them on my childhood, my family, the place where I was born and bred, on all that was holy and dear to me; the current of thought was too strong to be diverted; I had to abandon all, parents, family, memories, beliefs; the search proceeded with greater obstinacy and severity as it approached the goal and ceased only when it reached it. . . . I was an unbeliever, but I hated unbelief; it was that which decided the bent of my life. Unable to endure doubt on the riddle of human destiny, having no longer the light of faith to solve it, only the lights of reason were left for the problem.<sup>1</sup>

We see here a crisis, sudden, overwhelming, total, yet with the will-to-believe persisting in a measure after doubt had made a total wreck of the mass of interlocked assents which formed the psychic sphere of faith. A will-to-believe in general as in this case, is not necessarily a will-to-believe in each particular instance, were it so of course the doubt might be repelled and faith remain intact. The case is instructive as showing that where the general will-to-believe is not applied to all, where it fails in but one, there collapse of the whole is possible. But the destructive act, that which nips off the tail of the Rupert's drop, is an act of the intellect; 'dissentire autem, qui est proprius actus infidelitatis, est actus intellectus, sed moti a voluntate, sicut et assentire.'<sup>2</sup>

We have now to trace out, as far as we are able, the general outlines of the psychic process involved in a conversion to the Catholic faith. We can only take the very broadest outlines, for the cases present such a vast variety of types, that it is impossible to regard any one as *the* type. We have every shade of view, from agnosticism to ultra-Anglicanism, as the intellectual *terminus a quo*, we have every

<sup>1</sup> Jouffroy, *Nouveaux Mélanges Philosophiques*, p. 114, quoted in article on Jouffroy in the *Dict. des Sciences Philosophiques*, Hachette, 1885, p. 828.

<sup>2</sup> *Summa*, IIa, IIae, Q. 10 a. 2 c.

mode, from the slow tentative steps of a Newman to the conversion 'on the road to Damascus' of Alphonsus Ratisbonne and Mother Digby ; we have all sorts and conditions of men, from hardened sinner to blameless respectability.

We are not concerned here with conversions involving a moral rather than a doctrinal change, as we have already dealt with the psychological aspects of such transformations. The 'road to Damascus' type of conversion to the Catholic faith, as exemplified in the conversion of Père Ratisbonne, or Mother Digby, or the case related by Huysmanns in *Les Foules de Lourdes*, where an infidel was not only cured, but converted in the same moment, exhibits such manifest abnormalities as to baffle any psychological explanation which respects the integral fact. De Fursac, who would equate such conversions to the Evan Roberts' Revival type, dismisses the Ratisbonne case in a footnote : 'Alphonse Ratisbonne, a Jew, converted to Catholicism in a manner absolutely instantaneous (in appearance at least) in the Church of St. André delle Fratte at Rome. The conversion was accompanied by a visual hallucination. There is an account of this event in the little book of the Baron Bussierre : *The Child of Mary—One Brother more*. It has been reproduced by M. Frank Abauzit in his translation of W. James' book.' The weak point in this psychologic assimilation is not so much the denial of the miraculous, or its reduction to hallucination, that is an *a priori* necessity of thought for the agnostic, but the equation of the result of the crisis, the creation of the psychic sphere of Catholic faith, a new mentality, a new intellectuality, with merely personal moral changes, however great and impressive, which do not involve a new intellectual attitude to God and His Church. Unless we are prepared to regard the Catholic faith as a permanent hallucination, a form of chronic mental disease, we cannot bring its sudden genesis as a complete and enduring psychic factor in every circumstance of life within the categories of agnostic psychology. We may reform our morals by well-directed efforts ; we may modify our views by study within limits ; but we cannot take a new global attitude towards integral truth—our assent cannot be coerced. If we conclude that a dogma is contrary to *our* reason, how can we possibly accept it gladly save in the light of a reason higher than our own, in which we can implicitly trust ? If this attitude of absolute confidence comes suddenly, against the grain of all past experience—comes with crushing force, sweeping into



oblivion past convictions to the contrary—we must either recognize it as the finger of God, or take refuge in pure medical materialism.

The more gradual forms of conversion will suit our purpose as psychologists better than these rare and extraordinary types ; yet, their study is not free from difficulties. The material at our disposal, biography, letters and diaries, narratives of spiritual experience, though most ample, often fails to give us those psychological details which we require. Narratives are often written long after the events take place, and allowance has to be made for the present prepossessions of the writers when reviewing their own past. Very few have St. Teresa's clarity of internal vision and power of expressing the finer shades of psychic experience. Most of the documents available need to be examined and classified from the standpoint of psychology, and there is an immense field here, practically untilled, for students of positive psychology. Spiritual biography, on its ascetical side, has been well dealt with, but very little has been done, apart from mystical theology, to study the operations of the human soul as revealed in Catholic spiritual narratives. The positive study of the conversion-psychose among non-Catholics is much ahead of the positive psychology of Catholic conversions, as has been well pointed out by Père Mainage in his *Introduction à la Psychologie des Convertis*.<sup>1</sup>

We have two processes in these gradual conversions, the putting off of the old man by the break-up of the old convictions, and the putting on of the new by the formation of the new psychic sphere of faith. There is a disintegration and reintegration of the field of consciousness, but there is a new element in the reformed field. The break-up may come from some nascent idea, some intellectual difficulty which finds an appropriate centre of instability. Retté's agnosticism was first disturbed by his being asked by some Socialist comrades : ' You see, citizen, we know there is no good God ; that's understood. Since the world has not been created, we want to know how everything began. Science must know all about it, and we want you to tell us clearly what it says we are to think about the matter.'<sup>2</sup> He confesses he had

<sup>1</sup> Paris : Lecoffre, 1913, p. 7. In his subsequent volumes, *La Psychologie de la Conversion* and *Le Témoignage des Apostats*, Père Mainage has done much to supply this deficiency. Père Huby's *La Conversion* may also be consulted with profit.

<sup>2</sup> Adolphe Retté, *Du Diable à Dieu*. Paris : Messein, 1912, p. 10.

no answer ready for the workmen, and was honest enough to own up. His inability set him thinking, and started the process of religious conversion. The Gorham judgment, the Jerusalem bishopric, Kikuyu, have done so for others. A doubt, when incarnated in some concrete practical question, becomes the dynamic nascent idea par excellence. A merely speculative question can be logically turned and absorbed, but the inquisitive fact not being a mere mental product, must be either met or relegated to the oblivion of deep memory. So long as it keeps near the surface of consciousness, it is a disintegrant. If it effects a break-up, more or less, of the religious or irreligious field, the elements will strive to rearrange themselves. Now, in cases of conversion to the Catholic faith, this rearrangement presents certain characteristics. The elements will try to group themselves in various manners, tentatively, yet with a certain *felt* orientation. Retté thus analyses his state of soul, following on the question he could not answer :—

I was more than a hundred leagues from any thought of religion the day before : indeed, it was part of my day's work to furbish up arms against the Church. But from the moment the idea of God was thrust upon me, it never left me. Quietly, with irresistible gentleness, it penetrated and soaked me little by little. It was as if a spring gushed up in the subsoil of a desert, flooding every layer and but slowly coming to the surface into the sun.

I felt my soul, as it were, split in two ; all the forces of reason and will strove to react against this invasion of my soul by some unknown feeling whose persistence upset me. Often I felt vexed. At other times I was seized with a sort of panic, for I feared I was the victim of some morbid obsession which was symptomatic of mental breakdown.

But that did not last : I was soon obliged to recognize that, far from growing weak, my mind had never been so clear in analysing those phenomena of which the mind was the theatre. As to the worry and vexation caused by the movements of grace, they soon vanished in the divine light which progressively illuminated every corner of my being.<sup>1</sup>

Retté traces the progress of this work, until there is a total wreck of his old philosophical position, and he is forced back on God. Then the process of reconstruction begins, the building up of the Catholic faith against the assaults of the ideas overthrown in the destructive period of the crisis, aided by all the passions which the nascent faith would restrain.

<sup>1</sup> Retté, *Notes sur la Psychologie de la Conversion*. Action Catholique, Bruxelles (Science et Foi, No. 21), p. 18.



He has to learn what the Church teaches, and put in practice what it enjoins against all his old habits of mind. In that battle, which was far fiercer than the former :

We feel in a manner very clear but undefinable, that God watches within us, and having begun our transformation He will not abandon us in the heat of our conflict with the Prince of Darkness. So we feel the seed of redemption growing which His Infinite Mercy has sown in our soul. At length we make this discovery : every time we stand firm against our passions, every time we answer the Devil with this affirmation drawn from our inmost being, 'I believe and I cannot disbelieve,' we are rewarded with fresh energy to resist the worst assaults, and by a feeling of love for God which floods us with joy and light—which leads us to prayer.<sup>1</sup>

This conflict continues with various incidents until the faith is fully formed, and put in practice. The work of reconstruction in Retté's case was not easy ; he was almost driven to suicide by temptations to despair. But throughout he had the consciousness of free choice.

During every phase one keeps one's free will, and one never ceases to feel clearly that it is a question of choosing between error on the decline but still vigorous and growing truth.

That is, I think, what proves the inanity of determinism. If we accept it the stronger natural motive will always prevail and every man will obey it. This motive, in the case of the convert, is that which is imposed by his life, spent in following materialist doctrines, and as a man soaked in sensuality. Yet, on the contrary, under the influence of a force acting against all the ordinary laws of psychology, he enters on a path of ransom and reparation which neither his inveterate habits nor his immediate interest pointed out.<sup>2</sup>

In the case of J. K. Huysmans, for the Durtal of *En Route* is evidently the author himself, the process of destruction and edification was less dramatized in consciousness, the vital change came imperceptibly.

I had heard of a sudden and violent upset of the soul, of the thunderbolt, or of Faith finally blowing up fortifications which had been slowly and carefully undermined. It is very clear that conversions can follow one or other of these ways, for God does as He wills. But there should be a third way, no doubt the more common, which the Saviour followed in my case. And that consisted in I know not what, something like digestion, which we do not feel. There was no road to Damascus, no events precipitating a crisis ; nothing happens, and you awake some fine morning to a fact without knowing the how or the why. Yes, this operation on the whole is like the mine which explodes only after being

<sup>1</sup> Ibid. p. 22.

<sup>2</sup> Ibid. p. 32.

deeply dug out. Well, no, for in that case the work is felt; the objections which blocked the way are cleared off, I would have been able to reason the matter out, to follow the course of the spark along the train of powder, it was not so with me. I blew up suddenly, without foreseeing it, without suspecting that I had been so skilfully mined. Nor was it a thunderbolt, unless I acknowledge some thunderbolt which is secret and silent, queer and gentle. And this would also be false, for a sudden upset of the soul comes almost always as a sequel to misfortune or crime, to something one knows. The only thing which seems certain is, that in my case there was a divine initiative, grace. . . .

As Père Mainage sums it up :

We will see that the consciousness of the convert exhibits a strange dualism : one would think it was at the mercy of a force at once external and immanent. And this force is neither brutal nor unintelligent. It acts as if proceeding from a skilful teacher, thoroughly acquainted with its psychological and moral field of action. To such an extent is this, that conversions can be reduced to a certain type of phenomena, to a case of education, with this curious difference, that the educator does not show himself. And who, then, is this mysterious teacher ? A comparison of experience with the given of Catholic doctrine will reveal His Name : God Himself present in the consciousness of the convert.<sup>1</sup>

Hallucination of the sub-conscious ? The objection might hold for those who only look at the dramatic expression of this inner experience in the narratives of converts. To convey an idea we must use some image, a coarse streak of chalk stands for the physically inexpressible Euclidean line. The more abstract our ideas, the more remote from mere concrete sensible reality, the more symbolic, the less actual is their representation in speech. As St. Thomas puts it : ' *Sacra Scriptura non proponit nobis divina sub figuris sensibilibus ut intellectus noster ibi maneat, sed ut ab his ad invisibilia ascendat : unde etiam per vilius rerum figuras tradit, ut minor praebeatur in talibus occasio remanendi.*'<sup>2</sup> The possibility of hallucination in any dramatization of our states of consciousness is not ignored by Catholic spiritual writers ; the reader will find in Chapter XXIX of *The Ascent of Carmel*, of St. John of the Cross, some very appropriate criticisms of indiscreet credulity. Our imaginations may play the fool when we try to represent an experience, but we have other tests for the experience itself. How is it lived ?

<sup>1</sup> Th. Mainage, O.P.: *Introduction à la Psychologie des Convertis*. Paris: Lecoffre, 1913, p. 122.

<sup>2</sup> D. Thomas Aquinatis, Opus xxxiv. In Boetium De Trin., Q. 6 a. 2 ad 1.



Is that sense of unity in totality, of indefectible certitude hallucinatory ? If so, the Catholic Church is one vast mad-house, for the convert's faith new formed is but the faith of all. His sense of a Divine teacher is but the dramatization, as it were, of that gift of the higher synthesis—that new metanoetic element in consciousness, whereby all his difficulties are solved. The psychic nebula of his consciousness has found its nucleus, the new centre of his psychic cosmos. ‘*Terra autem erat inanis et vacua, et tenebrae erant super faciem abyssi: et Spiritus Dei ferebatur super aquas. Dixitque Deus: Fiat lux. Et facta est lux.*’ (Genesis 1, 2, 3).

JOHN HOWLEY.

# DOCUMENTS

**THE FEAST OF ST. PATRICK IS RETAINED AS A HOLIDAY OF OBLIGATION, AND THE LAW OF FAST AND ABSTINENCE ON THAT DAY IS DISPENSED BY THE HOLY SEE**

(May 13, 1919)

SACRA CONGREGATIO CONCILII

*Beatissime Pater,*

Cardinalis Archiepiscopus Armacanus nomine quoque ceterorum Ordinariorum Hiberniae humiliter petit a Sanctitate Vestra 1°, quod festum S. Patritii (17 Martii) restituatur sub duplici praecepto; 2°, quod dicta die fideles dispensati sint a lege jejunii et abstinentiae.

Ratio est quia Sanctus Patritius est protector totius Hiberniae et in omnibus civitatibus ac pagis magna devotione colitur.

Ex audientia SSmi. diei 13 maii 1919, SS. D. N. Benedictus PP. XV, audita relatione infrascripti Cardinalis S. C. Concilii Praefecti, benigne annuit pro gratia juxta preces.

V. CARD. SBARRETTO, *Praefectus.*  
I. MORI, *Secretarius.*

**APOSTOLIC LETTER TO THEIR EMINENCES CARDINALS GIBBONS AND O'CONNELL AND THE OTHER BISHOPS OF THE UNITED STATES**

(April 10, 1919)

AD IACOBUM S. R. E. CARD. GIBBONS, ARCHIEPISCOPUM BALTIMORENSEM  
GUILMUM S. R. E. CARD. O'CONNELL, ARCHIEPISCOPUM BOSTONIENSEM, CETEROSQUE ARCHIEPISCOPOS ET EPISCOPOS FOEDERATARUM AMERICAEE CIVITATUM DE EPISCOPORUM CONVENTIBUS ET DE SACRA AEDE IMMACULATAE VIRGINI WASHINGTONIAE DICANDA.

Dilecti filii Nostri, venerabiles fratres, salutem et apostolicam benedictionem.—Communes litteras vestras Washingtonia datas, quo dilecti filii Nostri Iacobi S. R. E. Presb. Card. Gibbons quinquagesimum episcopatus natalem ad celebrandum coiveratis, reddidit Nobis, istinc nuper reversus, ven. frater Bonaventura, archiepiscopus titulo Corinthiensis, Nostrae apud vos in tam singulari evento interpretis nuntiusque laetitiae. Confirmarunt eae quidem, novo pietatis studiiue erga Nos vestri testimonio, quam coniuncti Nobiscum sitis; quam vero coniuncti inter vos, sollemnia ipsa, cura et frequentia omnium vestra, apparate feliciterque acta, clariore in luce collocarunt. Utrumque vobis, venerabiles fratres,



vehementer gratulamur; at id tamen vehementius, quod ea usi estis opportunitate, ut de rebus maximi momenti, quae ad Ecclesiae reiue publicae utilitatem aequè pertinent, communiter disceptaretis. Comperimus enim vos animis deerevisse concordibus, unum in locum quotannis convenire universos, consilia ad rem catholicam provehendam aptiora inituros, itemque duos constituisse e gremio episcoporum coetus, quorum alter praesertim de re sociali, alter de recta puerorum iuvenumque institutione quaestiones perscrutetur et ad ceteros conlegas referat. Dignum sane propositum cui accedat, cum voluptate animi coniuncta, commendatio Nostra. Crebri enim episcoporum conventus, quos haud semel probarunt decessores Nostri, mirum quantum inserviunt catholici nominis incremento; quandoquidem, si in commune conferant singuli quidquid investigando experiendoque didicerint, expedita res erit dispicere qui serpent occulte errores, quae cleri populiue disciplinae detrimenta immineant, quae praesto sint, ad eos evellendos, ad hanc firmandam remedia, num animorum motus in regione vel tota ipsa republica deprehendantur, quos ad regundos vel aequis continendos finibus Pastorum sollertia sit valde profutura. Cum propulsatione autem mali it pariter consecratio boni, ad quam alii aliorum incitantur exemplis. Sicubi enim laetiozem fructuum segetem certa quadam via ac ratione excrevisse appareat, nemo non videt, episcopos, qui in coetum convenerint, id, pro temporum rerumque condicione, in sua quemque dioecesi, acturos certatim esse, quod alibi fieri viderint cum tam praeclara animorum utilitate. Neque vero est cur fusius hortemur, adeo res urget, ut actionem, quam oeconomicae sociale vocant, studiose constanterque persequamini; caveatis tamen, ne populares vestri a christianis rationibus, quas fel. rec. decessor Noster Leo XIII in Encyclicis Litteris *Rerum Novarum* enucleavit, opinionum fuco animorumque perturbationibus abrepti, misere discedant. Quod profecto, si unquam alias, certe per has rerum vices plurimum habet periculi, quando tota societatis hominum compages videtur in discrimen vocari et civium inter se caritas invidiae tempestate restingui ac paene obrui. Haud minorem tamen prae se fert gravitatem catholica puerorum atque adolescentium institutio, qua sacra tectaque, in tuto sit civium fidei morumque integritas. Quapropter nostis, venerabiles fratres, Ecclesiam Dei nunquam destitisse eiusmodi institutionem cum summopere provehere, tum pro viribus ab omni oppugnatione defendere ac tueri: cuius quidem rei si certa deforent argumenta, ipsa inimicorum christiani nominis, apud veteres nationes, agendi ratio certissimo argumento esset. Etenim, ne praestet Ecclesia incolumem teneriorum animorum fidem, neve ludi privati, materna eius providentia constituti, cum publicis a religione alienis feliciter certent, adversarii sibi velle solis vindicare docendi potestatem; nativum patrumfamilias ius omnino proterere ac violare; in tanta falsi nominis libertate religiosi catholicisque viris liberam erudiendorum adolescentium facultatem circumscribere, adimere, quoquo saltem pacto praegravare. Quibus vos istic ab incommotis vacuos, exploratissimum habemus largitate ac sedulitate admirabili catholicis scholis condendis dedisse operam; neque minorem curionibus religiosisque.

ex utroque sexu sodalibus tribuimus laudem, qui, vobis ducibus, ad tutandam, qua late patent Foederatae istae Civitates, scholarum suarum prosperitatem atque efficientiam, nec sumptibus nec laboribus pepererint. At vero, quod ceterum vobis persuasum est, neutiquam licet secundis sic rebus confidere ut, quae futura sint, neglegantur, cum Ecclesiae sors ac rei publicae a scholarum fortunis ac disciplina omnino pendeant; neque enim alii erunt Christifideles quam quos docendo, instituendo informaveritis. Atque hic memor ad Washingtoniensem studiorum Universitatem sponte provolat cogitatio. Iucundo sane animo mirabiles Lycei istius magni prosequi adhuc sumus progressiones, quibuscum tam bona spes cohaeret Ecclesiarum vestrarum; eoque nomine praecipue gratia Nostra hominumque memoria digni dilectus filius Noster Cardinalis Baltimorensium Archiepiscopus et ven. frater Episcopus tit. Germanicopolitanus eiusdem Lycei moderator. Quos autem non ita dilaudamus, tamquam si velimus nativitatem operamque praeterire vestram cum perspectum habeamus, in fovendo isto disciplinarum sacrarum optimarumque artium domicilio haud mediocriter ad hunc diem industriam omnium vestram desudasse, neque dubitemus quin sitis in posterum, et quidem alacrius, saluberrimo instituto adfuturi. Quod praeterea ad Nos adfertur, consilium Aedis Sacrae, ad Lyceum, in honorem Virginis Immaculae erigendae, vehementer in popularium animis pietatem erga Eam excitavisse, scitote id Nos mirifice recreasse. Quemadmodum enim sanctissimum propositum fel. rec. decessor Noster Pius X et probavit et laudibus omnibus extulit, sic nihil Nobis antiquius quam ut in urbe magnae istius reipublicae princeps templum quam citissime perficiatur Caesti Patrona totius Americae dignum, eo vel magis quod Lyceum vestrum, Deipara Immaculata auspice, perfectius quiddam attigisse dicendum est. Confidimus equidem fore ut, perinde ac Lyceum sedes erit, quo catholicae doctrinae studiosi, quasi in centrum radii, intendant ac concurrant, ita eam in Aedem Sacram, Virgine Immaculata gratiarum omne genus sequestra, non modo qui in discipulorum numerum adlecti vel adlegendi posthac sint, sed catholici quoque omnes e Civitatibus istis, veluti in Sanctuarium peculiare ac proprium, intueantur, et religionis pietatisque causa frequentissimi confluant. O illucescat quamprimum ille dies, quo vobis, venerabiles fratres, tanto huic operi fastigium imponere liceat. Ut vero inceptum ne diu protrahatur, efficiant, collata liberalius quam solent stipe, quotquot catholica apud vos professione gloriantur; neque tantummodo singuli, sed sodalitates quoque omnes, illae in primis, quibus, instituto suo, Deiparae cultus cordi est. Nec secundum in hoc insigni certamine catholicas decet mulieres obtinere locum, utpote quae debeant eo magis Immaculae Virginis promovere gloriam, quo Eius gloria in sui sexus honorem propius recidit ac redundat. Quos vero hortati sumus verbis, ut eos exemplo etiam Nostro ad pie largiendum permoveamus, Altare eiusdem templi princeps peculiari dono illustrare deliberavimus. Tempestive igitur missuri Washingtoniam sumus Imaginem Beatissimae Virginis sine labe conceptae, quam musivo opere in officina Vaticana effingendam curabimus, eaque, in ara maxima



aliquando collocata, monumento erit pietatis erga Mariam Immaculatam Nostrae, tum singularis qua Lyceum complectimur benevolentiae, Enimvero in eo versatur societas hominum discrimine, quod hinc praesentem Virginis opem, illinc communia omnium molimenta etiam atque postulare videatur. Posita ea quidem est in areto salutis exitiique confinio, nisi caritatis iustitiaeque legibus denuo ac firmitus stabiliatur; quae in re vos maxime omnium elaboretis oportet, cum multum apud gentem vestram possitis, quae, sanioris libertatis christianaeque humanitatis rationum retinentissima, praecipuam habitura est partem et in tranquillitate ordinis restituenda et in societate hominum ad eadem principia, post tam violentam eversionem rerum, instauranda ac renovanda. Caelestium interea munerum conciliatricem paternaeque benevolentiae Nostrae testem, vobis, dilecti filii Nostri, venerabiles fratres, clero populoque unicuique vestrum commisso, iis praesertim qui ad Washingtoniensis templi exaedificationem adiumento aut fuerunt aut erunt in posterum, apostolicam benedictionem amantissime in Domino impertimus.

Datum Romae apud S. Petrum, die x aprilis MCMXIX, Pontificatus Nostri anno quinto.

BENEDICTUS PP. XV.

# DECREE REGARDING THE CANONIZATION OF BLESSED JOAN OF ARC

(April 21, 1919)

## SACRA CONGREGATIO RITUUM AURELIANEN.

CANONIZATIONIS BEATAE IOANNAE DE ARC, VIRGINIS, AURELIANENSIS  
PUELLAE NUNCUPATAE

### SUPER DUBIO

*An et de quibus miraculis constet, post indultam eidem Beatae venerationem, in casu et ad effectum, de quo agitur?*

Cunctas inter res, quibus passim facileque abuti consueverunt catholico nomini adversi homines, exstat profecto ea atque eminent, quae pro arbitrio effingitur magnaue praedicatione extollitur, quaeque amor est patriae, quemadmodum cuiusvis superioris recentiorisque aetatis scite non minus quam apte monumenta testantur.

Ducto siquidem initio ab ipsa adorabili Iesu Christi Redemptoris persona, dum per medium populum, per vias et plateas transibat Ille benefaciendo et sanando omnes, impia et blasphemata in Eum iacta est calumnia, quod scilicet subverteret gentem. Utque consentaneum prorsus erat maximeque decebat fideles Eiusdem sectatores, non absimilis opinionis iniquitate, sub nascentis Ecclesiae exordio, primi agitati sunt Christiani iique, quo in odium invidiamque popularem adducerentur, veluti reipublicae inutiles insimulabantur, periculosi cives, seditiosi, imperii atque imperatoris hostes. Quin autem subsequentibus saeculis pedetentim quiesceret, itinere potius progredi visa est calumnia, quamvis eadem componi nequaquam possit cum christiana catholici hominis

professione eique imo plane repugnet, sicut aperte docet communiter recepta Ecclesiae doctrina, quam, ceteros inter, valide strenueque tueretur Angelicus Doctor, quippe cuius huc spectans tam gravibus tamque perspicuis expressa verbis, haec sententia prostat: *Homo efficitur diversimode aliis debitor secundum diversam eorum excellentiam, et diversa beneficia ab eis suscepta. In utroque autem Deus summum obtinet locum; qui et excellentissimus est et est nobis essendi, et gubernationis primum principium. Secundario vero nostri esse et gubernationis principium sunt parentes, et patria, a quibus et in qua et nati et nutriti sumus. Et ideo post Deum, maxime debitor est homo parentibus et patriae. Unde sicut ad religionem pertinet cultum Deo exhibere; ita secundario gradu ad pietatem pertinet exhibere cultum parentibus et patriae* (2<sup>a</sup>, 2<sup>ae</sup>, quæst. 101, art. 1).

Quod si haec omnia de quolibet Christifideli, qui memor sit professionis suae, affirmari praedicarique oportet, summum attigisse gradum in eo dicenda sunt, cuius non communes neque vulgares, sed heroicas fuisse constat christianas exercitas virtutes; eaque idcirco ad Beatam Ioannam de Arc, *Aurelianensis Puellae* pernotam nomine, vix atque transferuntur, statim levissimoque negotio planum fit atque perspicuum, quam temere quamque iniuste se gerant illi, qui ipsam *Aurelianensem Puellam*, vitam eius gestaque res, ad humanae tantum opis facultatem dimetientes, omni divinae virtutis instinctu exuere se posse arbitrentur. Revera, quae *Aurelianensis Puella* fuerit; quae peculiaris eiusdem vivendi agendique ratio ad sextum usque ac decimum suae aetatis annum; quae postmodum patrata per ipsam gloriosa et inaudita facinora, quibus inclinatae valde et afflictæ in integrum restitutæ sunt patriae sortes; qui funestissimus demum eiusdem interitus, cum, inique a suis prodita, ab hostibus capta, caedi omnium teterrimæ tradita, sacra Eucharistia resecta, oculis in Christi Crucem defixis, implorata, coram populo confertissimo, pro suae mortis auctoribus venia, crepitantibus flammis est absumpta; ad haec sane omnia eorumque adiuncta tranquillum animum et praeiudicatae opinionis expertem qui parumper attendat, facere procul dubio nequit, quin christianam veri nominis heroidem agnoscere cogatur atque revereri.

Etenim, secus si esset, quae nuper cursim raptimque describere consilium et cura fuit, quibusque, brevius et expressius quo fieri potuit, Ioannae Arcensis exhibetur imago, nullam amplius sui nanciscerentur explanationem; idque facto suo ostendere fermeque confiteri vel ipsi visi sunt, qui innocentissimæ Virgini tantum paraverunt exitium. Hi porro quum neque ipsi inficiari auderent quae egit quaeque operata illa fuit, insciae rusticaeque adolescentulae conditionem longissime exsuperasse potestatemque, Rationalistarum tamen scholae ut erant addicti, ne darent gloriam Deo, tamquam sagam atque veneficam rapere eam in ius non dubitarunt; eoque ex capite, per summum scelus, damnata quidem est; ast non incassum in iis, quae sibi propositae fuerant, interrogationibus iugiter constanterque professa illa fuit semetipsam actionesque suas subiiicere Ecclesiae fidenterque se appellare ad Dominum Papam; quandoquidem, aliquot post annos, eius instante matre ac duobus germanis



fratribus, veritatis iustitiaeque patrocinium volenti animo suscepit fel. rec. Callistus Papa III.

Huius namque Summi Pontificis apostolica auctoritate, apposita condita fuit inquisitio, qua res antea iudicata penitus est rescissa planeque deleta *Arcensis Puellae* infamia; quodque longe maius, ineundae causae Beatificationis stratum et complanatum est iter; ex praefata quippe inquisitione magni pretii eruta sunt facta, pleraque sat firma sumpta sunt argumenta ad heroicas eiusdem *Arcensis Puellae* demonstrandas virtutes, quae tantam postea adeptae sunt firmitatem et certitudinem, quanta eisdem ex duplici obvenit miraculorum accessione. Vix enim peracta Beatificatione, novorum prodigiorum manare coepit fama, quorum ex numero binae, de quibus agitur, percensentur sanationes, quaeque pro Beatae Ioannae impetranda Canonizatione propositae ab actoribus fuere, earumque quadruplici disceptatione absoluta fuit cognitio. Primum siquidem de re est actum in Congregatione antepreparatoria, secundo ac tertio in duabus praeparatoriis Congregationibus, quarto denique in Congregatione generali, quae, die decima octava superioris mensis martii, coram Sanctissimo Domino nostro Benedicto Papa XV coacta fuit; in eaque a Reverendissimo Cardinali Ianuario Granito Pignatelli di Belmonte, causae Relatore, sequens ad discutiendum propositum est Dubium: *An et de quibus miraculis constet, post indulgiam Beatae Ioannae de Arc venerationem, in casu et ad effectum, de quo agitur?* Reverendissimi Cardinales et Patres Consultores suum ex dorine protulerunt suffragium; veruntamen Sanctissimus Dominus noster supremam distulit edere sententiam, cunctos interea monens Suffragatores, orando obsecrandoque oportere Dei exquirere voluntatem. Quum vero mentem Suam patefacere statuisset, hodiernam designavit diem Dominicam Passionis; ideoque, Sacro devotissime peracto, ad Vaticanas Aedes arcessiri voluit Reverendissimos Cardinales Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, et Ianuarius Granito Pignatelli di Belmonte, Episcopum Albanensem causa que Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infrascripto Secretario, eisque adstantibus, solemniter pronunciavit: *Constare de duobus miraculis; de primo nempe instantaneae perfectaeque sanationis Mariae Antoniae Mirandelle a morbo plantari perforante; deque altero instantaneae perfectaeque sanationis Theresiae Bellin a tuberculosi peritoneali, nec non a lesione organica orificii mitralici.*

Hoc Decretum publici iuris fieri et in acta sacrae rituum Congregationis referri mandavit octavo idus apriles anno MCMXIX.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

✠ ALEXANDER VERDE, *Secretarius.*

L. ✠ S.

DOUBTS REGARDING THE CONSTITUTION OF CERTAIN  
ECCLESIASTICAL TRIBUNALS

(December 14, 1918)

[This Decree was published in April, 1919]

SACRA CONGREGATIO CONCILII

WRATISLAVIEN.

CONSTITUTIONIS TRIBUNALIUM ECCLESIASTICORUM

14 decembris 1918

SPECIES FACTI.—A Rm̃o Episcopo Wratislaviensi duo proponuntur dubia circa constitutionem tribunalium ecclesiasticorum illius Curiae. Primum, utrum permittere debeat quod in *tribunalibus ecclesiasticis* partem habeant *cum voto deliberativo* in causis matrimonialibus et contentiosis (exclusis utique criminalibus) iurisperiti *laici*, iuxta praxim quae ibi dicitur vigere *ex consuetudine 170 annorum*. In altero dubio fit similis quaestio de interventu *laicorum*, in iure et in sacris canonibus peritorum, qui in iudiciis ecclesiasticis partem habeant tamquam *Auditores* ad instruendas causas (exceptis criminalibus) vel tamquam *Assessores* cum voto consultivo.

Quoad substantiam, haec est historia factorum prout ex documentis exhibitis in actis eruitur: 1° Numquam fuit a Sede Apostolica ibi concessum, ut laici partem haberent in iudiciis ecclesiasticis quibuscumque *tamquam veri iudices cum voto deliberativo*; sed haec praxis ortum ducit ex saecularizatione facta in Borussia, ex qua tribunalia dioecesana fuerunt suppressa, ac deinde a. 1812 fuerunt quidem restituta, sed cum *subordinatione* ad potestatem civilem, quae subordinatio praesertim acta est per immixtionem iudicum laicorum. 2° Quod nititur concessione Pontificia, id tantum est, in ea dioecesi haberi secundam et tertiam instantiam appellationis, prout primus concessit Benedictus XIV per Litteras in forma Brevis *Paterna pietatis*, d. d. 1 augusti 1748; atque in secunda et tertia instantia ita concessa 'posse adscisci in auxilium *ad-sessores* sive *auditores* ecclesiasticos vel saeculares sacrorum canonum peritos, qui tamen omni voto deliberativo seu decisivo destituantur.' Hae postremae concessiones factae sunt ad decennium per breve Pii IX *Paterna ducti charitate*, 12 ianuarii anni 1855; deinde per aliud breve anni 1864 prorogatae sunt ad aliud decennium. Sed finito hoc alio decennio non apparent amplius prorogatae; cuius fortasse causa quaerenda est in persecutione sub nomine *Kulturkampf* celebri, qua saeviente Episcopus a Gubernio vi depulsus est. Certe neque petitio neque concessio prorogationis habetur in mera notificatione nominum iudicum prosynodalium singulis trienniis electorum, facta primum Nuntiaturae Viennensi, ac deinde S. Congr. Concilii.

ANIMADVERSIONES.—Qui super hanc facti speciem scripsit, Rm̃us Consultor censet, in primis, nullatenus esse legitimam nec in posterum tolerandam consuetudinem admittendi laicos tamquam veros iudices *cum voto deliberativo*. Ad quod probandum provocat ad textum iuris Decretalium et ad praescripta Codicis Iuris Canonici.



Sane ex iure Decretalium laici omnino sunt excludendi a munere iudicum in causis ecclesiasticis, ad quas eorum incompetentia est *absoluta* et omnimoda (cap. 2, X, *de iudic.*, II, 1; cap. 18, X, *de foro compet.*, II, 2). *Absoluta* quippe *incompetentia* in eo habetur, qui ne iurisdictionem quidem habet; at laici iurisdictionem ecclesiasticam, quae necessaria est ad decidendas causas ecclesiasticas, habent nullam; immo ne illius quidem habendae sunt capaces, sed prorsus incapaces, ac talis incapacitas solum per specialem et extraordinariam Rom. Pontificis provisionem in causa particulari auferri potest (cf. Schmalzgr., I, tit. XXIX, n. 14; II, tit. I, n. 83 § 1). At talis extraordinaria et mira provisio, quae permanenti modo laicis personis daret iurisdictionem spiritualem ad decidendas causas ecclesiasticas, in documentis alligatis non continetur quin potius in iis constanter excluduntur laici a suffragio decisivo habendo, prout ex verbis quoque supra relatis liquet.

Quod autem Codex exigat, ut omnes iudices sint clerici, immo et sacerdotes, est res manifesta (can. 1573, § 4, 1574, § 1). Nec minus perspicue enuntiatur in Codice principium iuris publici ecclesiastici, quo Ecclesiae vindicatur ius proprium et *exclusivum* cognoscendi de causis spiritualibus et spiritualibus adnexis (can. 1453), quae proinde sunt decidendae dumtaxat a iudicibus iurisdictione spirituali praeditis, qua laici non sunt capaces.

Quodsi ab Episcopo Wratislaviensi casus ita proponitur, quasi intervenus iudicum laicorum in decidendis per suffragium deliberativum causis ecclesiasticis, fundamentum haberet in consuetudine 170 annorum, hic titulus nullo modo est habendus ut legitimus. Nam, praescindendo a iure Codicis et insistendo iuri Decretalium, sub quo orta fuisset illa consuetudo, certum est per consuetudinem legitimo tempore praescriptam acquiri posse iura etiam spiritualia; at ad acquirenda iura spiritualia ante omnia requiritur capacitas in subiecto; iam vero laici spiritualis iurisdictionis sunt incapaces, ergo illam per consuetudinem provis tempore praescriptam acquirere non possunt (cap. 7, X, *de praescript.*, II, 26). Praeterea improbat in iure, ita ut nequeat praevalere, ea consuetudo, per quam 'disrumpitur nervus ecclesiasticae disciplinae,' videlicet per quam impeditur observantia bonorum morum vel subvertitur ordo ecclesiasticae hierarchiae (cap. 5, X, *de consuet.*, l. 4; Reiffenstuel, *in hunc tit.*, n. 56, 57; Suarez, *De legibus*, lib. 7, cap. 6, n. 8 sq.): iam vero, talis subversio habetur per usurpationem spiritualis iurisdictionis a laicis factam. Item reprobat in iure, quae est adversus immunitatem et libertatem ecclesiasticam, adeo ut consuetudo adversus libertatem ecclesiasticam, etiam immemorialis, si sola sit, et nullo privilegio aut fama privilegii Apostolici adiuvetur, non possit immunitati aut libertati ecclesiasticae derogare (Reiffenstuel, l. c. n. 81 sq.). Haec reprobatio expresse habetur cap. 1, 3, 5, X, *de consuetud.*, I, 4; item cap. 14, X, *de electione*, I, et cap. 8, X, *de iudictis*, II, 1. Iam vero est manifeste contra libertatem, independentiam et immunitatem Ecclesiae, quod haec in iudiciis de rebus ecclesiasticis et spiritualibus, maneat subiecta cuivis intrusioni potestatis laicae et iudicum laicorum, per quos causae ecclesiasticae decidentur.

Ceterum quaestio de vi consuetudinis est quaestio iuris privati, quoad leges nimirum respicientes internum societatis regimen. At in casu intrusio iudicum saecularium in causas ecclesiasticas, esset facta per usurpationem potestatis civilis, ut apparet ex brevi historia in facti specie praemissa; quo posito, quaestio haec, iam non est quaestio iuris privati, sed quaestio iuris publici, i.e. de independentia Ecclesiae a potestate civili. In quaestione autem iuris publici ne cogitari quidem potest consensus legalis Superioris legislatoris ecclesiastici, qui est necessarius ad hoc ut consuetudo facti per viam praescriptionis transeat in consuetudinem iuris: in tali enim casu consensus legalis contineret illicitam approbationem usurpationis, efficereturque inde, ut 'per fortunatam facti iniustitiam iuris sanctitati legitime detrimentum inferri posset' (Prop. 61 damn. in *Syll. Pii IX*). Cui consensui legali, etiam ex alia ratione vix in tali causa locus esse potest, quia videlicet Superiores ecclesiastici, quando non resistunt violationibus factis per potestatem saecularem id unice, faciunt ad vitanda maiora mala, non animo probandi.

Tandem quum illa participatio iudicium saecularium in decidendis causis ecclesiasticis ortum ducat ex usurpatione potestatis civilis, et haec *vi suae iurisdictionis laicae et profanae* illam usurpationem perpetraverit, iudices laici *vi iurisdictionis laicae et profanae* partem haberent in decidendis causis ecclesiasticis et spiritualibus; quae praetensio est omnino irrationabilis et ideo non potest cadere sub approbationem legislatoris ecclesiastici, licet hic per se possit, saltem transeunter et ad aliquem actum, alicui laico delegare iurisdictionem *spiritualem*.

Hinc apparet consuetudinem propositam, non aliud mereri nomen nisi *abusus*, ideoque esse irritandam, ut tribunalibus ecclesiasticis sua libertas et independentia restituatur.

Relate ad alteram dubium, utrum in futurum laici homines, in iure et in canonibus periti, admitti possint tamquam Auditores ad causas instruendas, vel tamquam Assessores cum voto consultivo; negari non potest, praxim vigentem in Curia Wratislaviensi fuisse in suo initio legitimam, quippe introductam ex indulto Pontificio contento in brevi Pii IX (a. 1855) et in prorogatione ad aliud decennium facta a. 1864. Nova tamen prorogatio deinde non invenitur esse facta, ideoque favor concessus dicendus est cessasse ab a. 1874. Ergo, quum novus Codex tam pro Auditoribus, quam pro Assessoribus exigat ut sint sacerdotes, desumpti ex iudiciis synodalibus (cann. 1575, 1581), quoad futurum tempus, sub disciplina iuris per Codicem inducti, videretur dandum quoque responsum *negativum*.

Nihilominus animadvertendum est in iure Decretalium non fuisse prohibitum, quominus *Assessores* desumi possent ex laicis, sed potius fuisse permissum. Id communiter a Doctoribus deducitur ex cap. 11, *de rescript.*, I, 3, in 6°; cfr. Reiffenstuel, lib. II, tit. 1, n. 22; Bouix, *de iudic.*, I, pag. 468; Wernz, *Ius Decret.*, VI, n. 148. Cuius rei ratio redditur, quod Assessor nullam debet exercere iurisdictionem, cuius laici sunt incapaces.

At, ob rationem contrariam, *Auditor*, cui committitur causae instructio, exercitium habet iurisdictionis ecclesiasticae, sine qua plurimi actus instructionis causae fieri nequeunt; ideoque laici muneris



Auditoris gerendi sunt incapaces (cf. epist. encycl. S. Congr. Immunit., 3 octobris 1832 et responsum eiusd. S. Congreg. 4 martii 1855; Bouix, l. c., pag. 463; Wernz, l. c., n. 141).

Iam ex his videtur deducendum etiam in dioecesi Wratislaviensi non posse quoad futurum admitti, ut adhibeantur laici tamquam *Auditores* ad instruendas causas ecclesiasticas, quia concessio illi Curiae factae, post annum 1874 quo indultum ea de re datum expiravit, non fuit renovata; per consuetudinem autem fieri non possit ut laicus iurisdictionem spirituales obtineat.

Quoad *Assessores*, licet valeat ratio de concessione non renovata, nihilominus, quum cesset altera ratio de necessitate iurisdictionis spiritualis et insuper iure Decretalium non fuerit prohibitum assumere laicos in munus Assessoris, urgeri posset pro Curia Wratislaviensi ratio consuetudinis plus quam centenariae, ideoque ad praescripta can. 5, concludi, consuetudinem hanc, tametsi Codici contrariam, tolerari posse si Ordinarius aestimet eam prudenter submoveri non posse. Nihilominus nemo non videt quot incommoda multis in circumstantiis oriri possint, si laici in consiliarios ab ecclesiastico iudice assumantur. Nam, praeterquam quod non semper laici, etiam in iure canonico periti, principia sana et firma de potestate Ecclesiae habent, obnubilari videtur, si tale consilium ineatur, perfecta independentia Ecclesiae in suis negotiis; et certe iudices laici non assumunt sacerdotes in consiliarios seu assessores pro negotiis civilibus et profanis decidendis; praeterea decens est, ut sacerdotes sint plures in iure canonico ac etiam civili bene periti, quibus reserventur negotia ecclesiastica, vel quae aliquam necessitudinem praesferunt cum iure civili, prout e contrario videtur incongruum dignitati Ecclesiae, ut indigeat opera iurisperitorum laicorum pro causis ecclesiasticis decernendis.

Ex quibus omnibus deducendum videtur etiam ad secundum dubium esse dandum responsum negativum, seu in Auditores et Assessores non posse assumi laicos.

RESOLUTIO.—Porro, propositis in plenariis comitiis S. Congregationi Concilii, habitis in Palatio Apostolico Vaticano, die 14 decembris 1918, dubiis ab Episcopo Wratislaviensi hisce formulis deductis nimirum:

I. *An consuetudo, per 170 annos usitata, qua in tribunalibus dioecesis Wratislaviensis admittuntur iurisperiti laici cum voto deliberativo in causis matrimonialibus et contentiosis—exclusis semper criminibus—legitima dici et deinceps tolerari possit.*

II. *An in futurum laici homines, in iure et in canonibus periti in iudiciis ecclesiasticis admitti possint tamquam Auditores ad causas instruendas, praeter criminales, vel tamquam Assessores cum voto consultivo in iis causis, quae aliquo modo connexae sunt cum legibus civilibus;*

Em̃i ac Reṽmi Patres respondendum censuerunt:

*Negative ad utrumque.*

Facta autem de praemissis Ss̃mo Dño Nostro Benedicto Div. Prov. Pp. XV relatione per infrascriptum S. C. Secretarium, inaudientia insequentis diei, 15 eiusdem mensis, Sanctitas Sua datam resolutionem approbavit et confirmavit.

I. MORI, *Secretarius.*

**DECREE OF THE SACRED CONSISTORIAL CONGREGATION IN  
REFERENCE TO THE ELECTION OF BISHOPS IN CANADA**

*(March 19, 1919)*

ACTA SS. CONGREGATIONUM

SACRA CONGREGATIO CONSISTORIALIS

**DECRETUM**

CIRCA PROPONENDOS AD EPISCOPALE MINISTERIUM IN CANADENSI DOMINIO  
ET TERRAE NOVAE INSULIS

Inter suprema Ecclesiae negotia, potissimum sane obtinet locum Episcoporum electio. Quam ob causam Apostolica Sedes, prout sui est officii, maximam de eo semper habuit rationem et, pro diversitate locorum ac temporum, varios constituit modos, ut finem optatissimum feliciter assequeretur.

Iamvero, etsi mos, qui in Canadensi ditione et in Terrae Novae Insulis huc usque pro Episcoporum propositione obtinuit, sicut et in aliis regionibus quibusdam quae more Missionum regebantur, hac vigente conditione, suis non caruit utilitatibus; attamen hodie, adiunctis rerum mutatis, minus iam accomodate respondet.

Nam, sub Missionum regimine, quum dioecesanus clerus, ut plurimum, a sacerdotibus alicuius religiosae familiae constitueretur et ex eadem Antistites solerent plerumque desumi, personae electio obvia erat, nec diuturna requirens studia. In praesenti vero conquisitio personae longiora requirit ac penitiora consilia.

Quam ob rem, haud providum nec satis utile videtur, Episcopos tunc solum convenire, quum, viduata iam Sede aliqua, novi constituendi pastoris urget necessitas; sed prudens ac salubris regiminis ratio postulat, ut in re tam gravi Episcopi tempestive conveniant, viros tanto muneri idoneos maturo cum studio discernant, et Apostolicae Sedi, ad quam demum negotium deferri oportet, generali saltem modo proponant. Sic nempe fiet ut, Sede aliqua orbata pastore, Summus Pontifex, citius ac pleniore rerum notitia, de re decernere valeat.

Hisce de causis Ss<sup>m</sup>us Dominus Noster Benedictus PP. XV, requisita prius a singulis locorum Ordinariis sententia, de consulto E<sup>m</sup>orum Sacrae huius Congregationis Patrum, statuit et consistoriali praesenti decreto praescribit, ut in posterum, in Canadensi Dominio et in Insulis Terrae Novae, pro eligendorum Episcoporum propositione, ratio, iuxta leges quae sequuntur, adhibeatur et vigeat.

1. Pro proponendis sacerdotibus ad episcopale ministerium idoneis ac dignis, conventus episcoporum fiet singulis bienniis, tempore infra assignato.

2. Conventus erunt provinciales, hoc est omnes et singuli Ordinarii dioecesium uniuscuiusque provinciae convenient simul. Excipiuntur Episcopi provinciarum Kingstoniensis et Torontinae, qui, quum hucusque consueverint pro his negotiis pertractandis simul congregari, morem hunc retinebunt, praesidente Archiepiscopo seniore. Similiter, ob peculiaria adiuncta in quibus versantur, simul convenient Ordinarii provinciarum



S. Bonifacii et Reginensis cum Archiepiscopo Winnipegensi: itemque Ordinarii provinciarum Edmontonensis et Vancuveriensis, pariter in his Archiepiscopo seniore praesidente.

3. Vicarii vero Apostolici, si tempus et negotia permiserint, conventibus Episcoporum provinciae suae interesse curabunt, iisdem cum iuribus ac coeteri.

4. *Quolibet biennio*, ut supra dictum est, sub initium quadragesimae, incipiendo ab anno 1920, omnes et singuli Episcopi Metropolitano suo vel seniori Archiepiscopo sacerdotum nomina indicabunt, quos dignos episcopali ministerio existimabunt. Nil autem vetat quominus, hos inter, alterius etiam dioecesis vel provinciae sacerdotes proponantur; *sub gravi* tamen exigitur, ut, qui proponitur, personaliter et ex diuturna conversatione a proponente cognoscatur.

5. Una cum nomine, aetatem quoque designabunt candidati, eius originis et actualis commorationis locum et officium quo principaliter fungitur.

6. Antequam determinent quos proponant, tam Archiepiscopi quam Episcopi poterunt a viris ecclesiasticis prudentibus necessarias notitias inquirere, ita tamen ut finis huius inquisitionis omnino lateat. Notitias vero quas receperint nemini patefacient, nisi forte in Episcoporum conventu, de quo inferius.

7. Nomina quae Episcopi iuxta art. 4<sup>um</sup> proponent, nulli prorsus aperiant, nisi Metropolitano suo vel seniori Archiepiscopo.

8. Metropolitanus vel senior Archiepiscopus habitis a Suffraganeis candidatorum propositionibus suas adiciat; omnium indicem ordine alphabetico conficiat, et, reticitis proponentibus, hanc notulam transmittat singulis suis Suffraganeis sive Antistitibus regionis suae, ut hi opportunas investigationes peragere valeant de qualitatibus eorum quos personaliter et certa scientia non cognoscant.

9. Investigationes iusmodi earumque causa maxima secreti cautela peragendae erunt, ut supra num. 6 dictum est. Quod si vereantur rem palam evasuram, ab ulterioribus inquisitionibus abstineant.

10. Post Pascha, die et loco a Metropolitano vel a seniore Archiepiscopo determinandis, omnes Episcopi convenient ad seligendos eos qui S. Sedi ad episcopale ministerium proponi debeant. Convenient autem absque ulla solemnitate, quasi ad familiarem congressum, ut attentio quaelibet, praesertim diariorum et ephemeridum et omne curiositatis studium vitetur.

11. In conventu, invocato divino auxilio, praestandum erit a singulis, Archiepiscopo non excepto, tactis SS. Evangeliiis, iusiurandum de secreto servando, ut sacratius fiat vinculum quo omnes adstringuntur: post hoc regulae ad electionem faciendam legendae erunt.

12. Deinde unus ex Episcopis praesentibus in Secretarium eligitur.

13. His peractis, ad disceputationem venietur, ut, inter tot exhibitos, digniores et aptiores seligantur. Id tamen veluti Christo praesente fiet et sub Eius obtutu, omni humana consideratione postposita, cum discretionem et charitate, supremo Ecclesiae bono divinaque gloria et animarum salute unice ob oculos habitis.

14. Candidati maturae, sed non nimium provectae aetatis esse debent ; prudentia praediti in agendis, quae sit ex ministeriorum exercitio comprobata ; sanissima et non communi doctrina exornati, et cum debita erga Apostolicam Sedem devotione coniuncta ; maxime autem honestate vitae et pietate insignes. Attendendum insuper erit ad capacitatem candidati quoad temporalem bonorum administrationem, ad conditionem eius familiarem, ad indolem et valetudinem. Uno verbo, videndum utrum omnibus iis qualitatibus polleat, quae in optimo pastore requiruntur, ut cum fructu et aedificatione populum Dei regere queat.

15. Discussionem peracta, fiet hac ratione scrutinium :

(a) Qui omnium Episcoporum sententia, quavis demum de causa, visi sunt in disceptatione ex numero proponendorum expungendi, ii in suffragium non vocabuntur ; de caeteris, *etiam probatissimis*, suffragium feretur.

(b) Candidati singuli ordine alphabetico ad suffragium proponuntur : suffragia secreta erunt.

(c) Episcopi omnes, Metropolitano non excepto, pro singulis candidatis tribus utentur taxillis seu calculis, albo scilicet, nigro, tertioque alterius cuiuscumque coloris : primum ad approbandum, alterum ad reprobandum, tertium ad abstensionem indicandam.

(d) Singuli Antistites, praeunte Archiepiscopo, in urna ad hunc finem disposita taxillum deponent, quo dignum, *coram Deo et graviter onerata conscientia*, sacerdotem aestimabunt qui in suffragium vocatur : reliquos taxillos binos in urna alia, pariter secreto, deponent.

(e) Suffragiis expletis, Archiepiscopus, adstante Episcopo Secretario, taxillos et eorum speciem coram omnibus numerabit, scriptoque adnotabit.

16. Scrutinio de omnibus peracto, liberum erit Episcopis, si id ipsis placeat aut aliquis eorum postulet, ut inter approbatos plenis aut paribus suffragiis novo scrutinio designetur quinam sit praefendus. Ad hunc finem singuli suffragatores nomen praefendi in schedula adnotabunt, eamque in urna deponent : schedularum autem examen fiet, ut supra num. 15, litt. e, decernitur.

17. Quamvis vero Summus Pontifex sibi reservet, dioecesi vel archidioecesi aliqua vacante, per Delegatum Apostolicum, aliove modo, opportuna consilia ab Episcopis vel Archiepiscopis requirere, ut personam eligat quae inter approbatas magis idonea videatur dioecesi illi regendae ; nihilominus fas erit Episcopis in eodem conventu indicare, generali saltem ratione, cuinam dioecesi candidatos magis idoneos censeant ; ex. gr. utrum exiguae, ordinatae ac tranquillae dioecesi, an potius maioris momenti, unius vel alterius sermonis, vel in qua plura sint ordinanda aut creanda ; itemque utrum loco mitioris aëris et facilis comitatus, an alterius generis, et alia huiusmodi.

18. Episcopus a secretis, discussionem durante diligenter adnotabit quae de singulis candidatis a singulis suffragatoribus dicuntur, quatenus discussionis fuerit conclusio ; denique quinam tum in primo scrutinio, tum in secundo (si fiat) fuerit exitus, et quidnam specialius iuxta art. 17 fuerit dictum.



19. Antistites a conventu ne discedant, antequam ab Episcopo Secretario lecta fuerit relatio ab eodem confecta circa nomina proposita, candidatorum qualitates et obtenta suffragia, eamque probaverint.

20. Actorum exemplar ab Archiepiscopo, a Praesule a secretis et a ceteris Episcopis praesentibus subsignatum, quam tutissime ad Sacram hanc Congregationem per Delegatum Apostolicum mittetur. Acta vero, ipsa penes Archiepiscopum in Archivo secretissimo S. Officii servabuntur, destruenda tamen post annum, vel etiam prius, si periculum violationis secreti immineat.

21. Post haec, fas tamen semper erit Episcopis, tum occasione propositionis candidati tum vacationis alicuius Sedis, praesertim maioris momenti, litteras Sacrae huic Congregationi vel ipsi SS<sup>mo</sup> Domino conscribere, quibus mentem suam circa personarum qualitates sive absolute, sive relate ad provisionem dictae Sedis, patefaciant,

Datum Romae, ex Aedibus Sacrae Congregationis Consistorialis, die 19 martii 1919.

✠ C. CARD. DE LAI, Ep. Sabinen., *Secretarius*.  
✠ V. SARDI, Archiep. Caesariensis, *Adessor*

L. ✠ S.

#### DOUBTS REGARDING THE FULFILMENT OF CONDITIONS PRESCRIBED IN THE FOUNDATION OF CERTAIN ECCLESIASTICAL BENEFICES

(July 14, 1918)

[The Decree was not published until March, 1919]

#### SACRA CONGREGATIO CONCILII GERUNDEN.

#### FUNDATIONES BENEFICIORUM

**SPECIES FACTI.**—Episcopus Gerunden. sequentibus litteris H. S. C. tria dubia solvenda proposuit: ‘Nonnulli sacerdotes, beneficium ecclesiasticum constituere vel bona alicuius beneficii augere satagentes, postulant, ut beneficia ita adaucta nova dote sibimetipsis conferantur, eorumque redditus omnes percipiant, quod quidem sub specie utilitatis in posterum obtinendae iustum suadere conantur. At onera beneficii, obeunda in favorem ecclesiae, etiam parochialis, ubi beneficium fuit constitutum, adimplere nolunt eo innixi quod ipsi obtentores sunt a prima institutione: sicque constare faciunt in tabulis foundationis, seu augmenti dotis. Praeterea, dum onera beneficii, etiam levissima, licet maximae utilitatis fidelium, nolunt portare, tamen assistendi functionibus ab ecclesia sui tituli peragendis, sive fundatis, sive adventitiis, necnon et stipendia iisdem assignata percipiendi, ius exigunt.

‘Ut igitur tutius in hac re procedere valeat, postulat reverenter Episcopus Orator resolutionem trium dubiorum sequentium; nimirum:

‘1°. Utrum liceat clausulam apponere in limine foundationis beneficii, vi cuius primus obtentor liber sit ab oneribus beneficio adnexis rite ferendis, etiam cum agitur de oneribus quae alicui ecclesiae parochiali vel fidelis populi necessitati respondeant.

‘Et quatenus affirmative. 2°. Utrum beneficiatus primus obtentor,

dum onera non implet, ius habeat assistendi functionibus suae ecclesiae sive fundatis sive adventitiis, neenon et stipendium pro his percipiendi.

'*Quatenus negative ad secundum.* 3°. Utrum sustineri possint clausulae contrariae olim adiectae in limine foundationis et ab Ordinariis approbatae.'

ANIMADVERSIONES (*ex voto Consultoris*).—Cum res de qua agitur resolvenda sit iam novo Codice publicato et sub illud tempus, quo, finita legis vacatione, Codex plenam vim obligandi obtinuit, considerari debet tum sub respectu ad novum Codicem, maxime in ordine ad novas foundationes, tum sub respectu ad ius praecedens, praesertim quoad beneficia iam sub praecedenti iure fundata. Sedulo tamen in utraque consideratione distinguendum est inter veram beneficii nondum existentis foundationem, et augmentum dotis pro beneficio iam fundato oblatum.

Quoad beneficia futuro tempore fundanda, excludenda penitus est a fundatione quaelibet conditio, qua fundatori reservetur *ius patronatus*, licet possint ipsi concedi suffragia ipsius liberalitati proportionata (can. 1459). Quo excluso, iam cetera consideranda sunt, quae in dubium veniunt sive quoad beneficia iam fundata sive quoad fundanda, attendendo primo loco *foundationem beneficii*, deinde *augmentum dotis*.

I. *Quoad foundationem beneficii* translatitium in iure est, in statuenda lege foundationis alicuius beneficii plurimum deferri fundatorum voluntati, ut ii alliciantur et non retrahantur a foundationibus. Erectio enim beneficiorum favorem Ecclesiae continet; siquidem tendit ad augendum cultum divinum et Ecclesiae decus, tum ob novos actus cultus divini qui erunt a beneficiato ex obligatione ponendi, tum etiam quia bona, in hunc finem oblata, Deo dicantur et ex temporalibus veluti sacra et spiritalia efficiuntur. Quae commoda obtinenda causa sunt, cur fundatoribus etiam conditiones iuri communi contrarias in tabulis foundationis apponere permittatur (Barbosa, *De episc.*, p. III, alleg. 71, n. 39; Lotterius, *De benefic.*, lib. I, q. 32, num. 14 sq.; De Luca, *De benefic.*, disc. 95, num. 10). Quam facultatem admittendi conditiones etiam iuri communi contrarias Episcopis agnovit explicite Codex, can. 1417, ubi tamen illa limitatione circumscribitur, quod agatur de conditionibus honestis et naturae beneficii non repugnantibus. Ceterum haec limitatio etiam de iure praecedenti erat intelligenda, ubi pariter erant exclusae conditiones impossibiles aut contradictoriae, conditiones turpes et conditiones contra substantiam beneficii; quia qui contra substantiam beneficii legem meditatur, utique destruit quod agit, velut si beneficiato imponatur obligatio alteri cedendi quicquid ex beneficio percipit (Lotterius, l. c., num. 26 sq.).

Age vero, in casu, prima illa conditio, quod fundator obtineat prima vice beneficium a se fundatum, non est conditio turpis aut beneficii naturae repugnans, ut est manifestum. Orator quidem timuisse videtur ne sub hac conditione lateret *simonia* attendens fortasse Benedictum XIV in *Institut. canonic.* num. 95 et resolutionem huius S. C. in causa Alexandrina, *Augmenti dotis*, a. 1686, ab eodem relata. Attamen ille timor caret fundamento; quin immo eo loco Benedictus XIV, n. 6 sq. contrarium expresse defendit innixus auctoritate Pitonii; nec allegata causa



Alexandrina facit ad rem, ut optime ibidem prosequitur Benedictus XIV, quia in illa causa non agebatur de fundatore, sed de alio clerico desiderante obtinere beneficium iam fundatum, qui augmentum dotis offerebat, non Episcopo, sed patronis, conventionem cum eis inita, ut se propter promissum augmentum dotis praesentarent; qua in re, bonis temporalibus oblatis, intendebat obligare patronos ad sui praesentationem, cui conventioni merito visa est subesse labes simoniaca. At in casu, ut ibidem discrimen ostendens prosequitur Benedictus XIV, agitur de conditione posita ab ipso fundatore et per Episcopum acceptanda, ut illi prima vice liceat habere beneficium; bona autem offeruntur Ecclesiae, ut Ecclesiae in perpetuum serviant in augmentum cultus divini per beneficium, qui illis bonis sustentetur, procurandum. Et mirum profecto esset, intercedere labem simoniacam ea in re, quam novus Codex ratam habuit cum tamen voluit in futurum abolitum ius-patronatus. Ita enim statuitur can. 1450, § 2: *Ordinarius potest fundationem beneficii admittere ea adiecta conditione, ut beneficium prima vice conferatur clerico fundatori vel alii clerico a fundatore designato.*

Secundo loco, est quidem contra ius, quod beneficiatus obtinens beneficium onera beneficio adnexa non impleat, ut est manifestum: beneficium enim datur propter officium; at quod determinatus beneficiatus, v. gr. fundator ipse, qui simul est primus beneficii obtentor, non teneatur ad onera beneficii implenda, non est conditio turpis nec contra naturam beneficii, ideoque a fundatore, cui datur conditiones etiam contra ius opponere (can. 1417), in lege foundationis id statui potest. Sane non repugnat naturae beneficii, quod beneficiatus per dispensationem liberetur ab oneribus beneficio adnexis, v. gr. canonicus per aliquod tempus dispensetur a lege residentiae et officii choralis, dum tamen interim percipit beneficii fructus; quae dispensatio, si naturae beneficii repugnaret, dari non posset. Item saepe admissum est, ut fundator sibi reservet pensionem ex bonis pro fundatione oblatis, cum tamen nullam impleat obligationem beneficio adnexam; quam reservationem pensionis expresse agnoscit Codex, can. 1455, num. 2. Praeterea agnoscitur fundatori facultas in limine foundationis apponendi conditionem, ut ad illud possit praesentari etiam infans, qui profecto dum ad congruam aetatem non pervenerit, non poterit onera beneficii implere (Fargna, *De iure patronatus*, Pars II, can. 27, caus. III, n. 31, 40; Lotterius, *De re benefic.*, lib. I, q. 32, n. 17, 19, 34 sq.; Barbosa, *Ad Concil. Trid.*, sess. 25, c. 6, num. 7, *de reformat.*).

Atque haec multo magis valent in casu in quo ageretur de capellania pro celebratione missarum, quas sibi applicari fundator rationaliter potest nolle, nisi postquam e vita decesserit, ideoque potest velle ut ipse primus beneficii obtentor, non teneatur missas *pro se* celebrare. Deinde, quoad ipsum servitium Ecclesiae praestitum per missam in ea celebratam, potest fundator velle ut illud servitium non praestetur nisi post eius mortem; qua in re nulla est differentia cum casu quo testator relinquit bona, ut ex illis fundetur capellania sed nonnisi post mortem filii. De facto, in casu, nihil aliud fit nisi fundari capellaniam, sed cum reservatione fructuum usque ad mortem fundatoris. Quae reservatio

potest omnino honeste fieri, et Ecclesia, licet non immediate, durante vita fundatoris qui primus obtinet beneficium, sed utique postea, et quidem perpetuo, obtinebit magnum commodum augmenti cultus divini ratione beneficii in ea perpetuo fundati. Ergo undequaque res spectetur nihil est, cur non possit fundator hanc apponere conditionem.

Relate ad tertium punctum seu ad participationem fundatoris in emolumentis adventitiis, velut in funeribus aliisque similibus, profecto, si fundator ecclesiae in beneficio a se fundato serviret, nulla esset ratio cur ea participatio fundatori denegaretur; ut enim in iis emolumentis partem habeant prae ceteris clerici servitio ecclesiae addicti, ratio est hoc ipsum servitium ecclesiae praestitum; quae ratio quidem in hypothesi servitii non praestiti locum non habet. Aliunde tamen negari non potest, quod fundator, prima vice beneficium a se fundatum obtinens, licet servitium ipse ecclesiae non praestet, habendus tamen sit ut ecclesiae *benefactor*, cui, relinquens beneficium a se fundatum, perpetua quodam ratione in augmentum cultus divini contribuit et perpetuo sustentat beneficiatum, qui ad participationem adventitiorum admittetur. Quae ex ratione, admissio fundatoris ad participationem adventitiorum coniuncta cum servitio propter quod adventitia obtinentur, licet debita non dicatur, aequa tamen vere dici potest.

Iam vero, antequam Episcopus foundationem oblatam acceptet, debet vocare interesse habentes, prout in casu sunt ceteri beneficiati ecclesiae, iisque auditis debet ponderare, utrum detrimentum quod patiuntur ceteri beneficiati in eo quod fundator admittatur ad funera, ad anniversaria ceterasque functiones, compensetur sufficienter per augmentum perpetuum cultus divini obtentum in foundatione novi beneficii; si ita iudicet, potest Ordinarius pro suo iure foundationem etiam cum illa conditione acceptare.

Concludendum igitur est, si in limine foundationis admissa est illa conditio, quod fundator admittatur ad funera, anniversaria ceterasque functiones, unde emolumenta adventitia percipiuntur, hanc conditionem valere ac sancta servandam esse. Episcopum tamen esse liberum in reiicenda illa conditione, quae praetendatur apponi in lege foundationis, si existimet inde tale detrimentum obvenire ecclesiae ceterisque eiusdem beneficiatis, quod perpetuo augmento cultus divini per foundationem novi beneficii procurato non ex aequo compensetur.

II. *De casu augmenti dotis.* Ius constitutum de re hoc erat, quod iuspatronatus non acquireretur, nec *patronus*, sed tantum *benefactor* ecclesiae fieret et diceretur, qui ecclesiae iam sufficienter dotatae novos tribueret redditus, etiamsi maiores essent, quam illi, qui primitus pro sufficienti dote fuissent assignati; eo quod patroni fierent, non propter quantitatem rei donatae, sed qui primum ecclesiam seu beneficium, quodammodo a non esse ad esse sufficienti donatione seu dotatione perducerent. Si tamen dos primitus data omnino periisset, tunc antiquus patronus iuspatronatus amittebat, quod acquirebatur ab illo, qui de novo sufficienter beneficium dotasset (Reiffenstuel, lib. III, tit. 38, n. 9; Pirhing., h. t., n. 9; Fagnanus, in cap. 'Quoniam,' 3, h. t. n. 59, in cap. 'cum propter,' 27, h. t., num. 67; Lambertini, *De iure patron.*, lib. I, part. I, quaestio 5, art. 12).



Admittebatur quidem iuspatronatus etiam occasione augmenti dotis acquiri posse, si tamen dimidia saltem dos constituatur, sed statuebatur in hoc casu iuspatronatus haberi *ex indulto Apostolico*, pro quo obtinendo augmentum dotis erat *causa motiva* sive impulsiva (Garcia, *De benefic.*, part. 5, cap. 9, n. 127; Lotterius, *De re benefic.*, lib. II, qu. 7). Unde infertur, ex sola auctoritate Episcopi, augmentum dotis admittentis, iuspatronatus dotem augenti etiam et dimidia parte, deferri non potuisse.

Quamobrem si dubia ab Episcopo Gerunden. proposita etiam intelligenda sint de casu quo agatur, non de nova fundatione, sed de solo augmento dotis, quae circumstantia ab Oratore ponitur in precibus, reticetur tamen in dubiorum formula, liquet praeiudiciale responsum negativum dandum esse ad omnia dubia quoad beneficia, in quae futuro tempore intendantur acquiri ex augmento dotis iura, quae conceduntur fundatoribus. Relate vero ad beneficia praeterito tempore per augmentum dotis in vitam restituta, cum nosse non possimus circumstantias cuiusque beneficii, et utrum intervenerit in singulis casibus beneplacitum Apostolicum, recurrendum erit in singulis casibus: nam quae a praecedentibus Episcopis admissa et approbata sunt, rite facta et approbata censi debent, nisi in casu particulari contrarium probatum fuerit.

**RESOLUTIO.**—Die 13 iulii 1918 Sacra Concilii Congregatio, in plenariis Eñorum ac Revmorum Patrum comitiis, in Palatio Ap. Vaticano habitis, propositis dubiis respondendum censuit:

Ad I. *Affirmative.*

Ad II. Concedi posse, dummodo nihil obstat ex parte interesse habentium.

Ad III. Provisum in praecedentibus.

Facta autem de praemissis SSmo Dño Nostro Benedicto Div. Prov. PP. XV. per infrascriptum S. C. C. Secretarium relatione, in Audientia insequentis diei, Sanctitas Sua datas Eñorum Patrum resolutiones approbare et confirmare dignata est.

I. MORI, *Secretarius.*

## DECREE INTRODUCING THE CAUSE OF BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, INNOCENT A BERTIO, PRIEST OF THE ORDER OF THE CAPPUCCINS MINOR

(January 22, 1919)

SACRA CONGREGATIO RITUUM  
BRIXIEN.

DECRETUM SUPER INTRODUCTIONE CAUSAE BEATIFICATIONIS ET CANONIZATIONIS SERVI DEI INNOCENTII A BERTIO, SACERDOTIS PROFESSI ORDINIS MINORUM S. FRANCISCI CAPUCCINORUM.

In oppido Niardo Camuniae Vallis, intra fines dioecesis Brixienis, die 19 martii anno 1844, a piis honestisque parentibus Petro Scalvinoni

et Francisca Poli ortum duxit Dei Famulus Innocentius a Bertio, sacerdos professus Ordinis Minorum Capuccinorum. Infanti nomen Ioannis in sacro fonte inditum fuit, eiusque nativitas breve gaudium in familia tulit, quia conversum in luctum ob immaturum patris obitum. Inde pueri educandi omnem curam suscepit mater quae, perspecta egregia filioli sui indole, ad pietatem bonosque mores animum facilius informavit. In eo elucebat obedientia et reverentia matri, a puerilibus ludis abstinencia, ad templum frequentia et oratio, et singularis humanitas et misericordia in pauperes, quos cibo sibi subtracto et stipe collecta saepe reficiebat. Brixienis episcopus Verzeri, quum illum vidisset et audisset, admiratione captus, veluti bonae spei puerum parochio commendavit. Ioannes, cum genitrice Bertium reversus, litterarum rudimentis operam navavit, in quibus peculiare specimen dedit diligentiae et ingenii ad altiora studia bene dispositi. Quapropter, curante matre, in Convictum Luerensem missus fuit, ubi inter alumnos et condiscipulos virtute et studio praestitisse Praeses aliique Superiores testantur. Bonum semen ita succrevit, ut ecclesiasticae vocationis, Deo adiuvante, fructus oriretur. Ipse enim postulavit ut e collegio laicorum ad Seminarium clericorum transferretur. Voti compos factus, mense novembri 1861, Brixienae Seminarium ingressus est, ibique, disciplinae observantia et virtutum splendore fulgens, scientiis theologicis et canonicis diligenter incubuit, prout ex actis eiusdem Seminarii colligitur. Vertente anno 1867, sacerdotio insignitus, parochio loci *Cevi* adiutor a Superioribus destinatur; et, licet aetate iuvenis et ministerio neophytus, tamen veluti proventus et maturus sacerdos curionis officia per biennium gerit. Quam auxiliarem operam, per annum intermissam ob munus vicerectoris in Seminario Brixienae sibi concredidit, pari studio et diligentia ipse resumpsit et per quadriennium praestitit parochio Bertii, ubi gratam et perennem sui memoriam ac desiderium cunctis reliquit. Ioannes enim, a Bertio discedens, frequenter visitabat Capuccinorum coenobium in adverso monte situm et ecclesiam continentem, a titulo et a proximo oppido Borno *Annuntiatae Borni* appellatam. Hinc paulatim arcanam quandam sensit vocem de perfectioris vitae statu amplectendo in illo religionis clauastro, eamque simplicitate et candide suis pandidit Superioribus. Isti, aegre ferentes tam validum Ecclesiae ministrum, dioecesi Brixienae pretiosum, amittere, complures obiiciunt difficultates. Sed Ioannes, firmus et constans in proposito, hisce difficultatibus solutis obstaculisque superatis, vocationem religiosam secutus, mense aprili anno 1874 a Patribus Capuccinis memorati coenobii in tyrocinium admittitur, quo feliciter expleto et elapso triennio sollemniter profitetur. die 2 maii anni 1878. In saeculo Ioannes, in religione Innocentius a Bertio, in praefato loco et coenobio fixum habuit domicilium, etsi brevi Mediolani et Cremae consisteret. Seraphici Patris legiferi discipulus et filius, humilia semper praetulit officia. Ex obedientia libentissime accepit recteque gessit munera vicepraefecti tyronum et grammaticae magistri alumnorum Ordinis; utriusque iugiter inspirans vitae sanctitatem morumque candorem cum perfecta fide et amore ardente in Christum crucifixum et Deiparam Virginem. Insuper ad Superiorum nutum per



finitima oppida parochis opere et sermone auxilium praebeuit, sacris confessionibus audiendis et pauperibus evangelizandis, iuxta morem Franciscali Familiae praedilectum. Eius vitae austeritas omnino singularis fuit. Pietas autem sodalibus et extraneis mirifice patebat tum per *Viam Crucis* quandoque pluries in die ab eo iteratam, tum per rituum observantiam in Officio et Missa et per adorationem Augustissimi Sacramenti, tum per marialium precum frequentiam ad altare Beatae Mariae Virginis. Sanctae vero Ecclesiae addictissimus filius ac minister, eam summopere diligebat, atque magistram, reginam, matrem et opus Dei appellabat. Pro Ipsa, sicut pro Romano Pontifice, fervidas Deo Optimo Maximo preces offerre solebat, potissimum in illa temporum tempestate, animo et spe firma confisus divini Redemptoris et fundatoris promissis: 'Portae inferi non praevalerunt adversus eam.' Exeunte anno 1889 sacras exercitationes religiosis capuccinis Mediolanensis familiae praedicavit. Missus deinde Albinum apud suos coenobitas, idem ministerium peregit, quod tamen intermittere cogitur, ob gravem morbum quo corripitur. Statim Bergomum delatus, ut in illo Capuccinorum coenobio curaretur, ingravescente morbo, sacramentis Ecclesiae reffectus, pie obiit in Domino die tertia martii anno 1890. Exequiis, secundum Ordinis morem, rite persolutis, eius corpus eo in loco religiose tumulatum est, donec post septem circiter menses, die 29 septembris, Bertium translatum, ibidem, iuxta Bertiatum vota, depositum, in pace quiescit. Interim fama sanctitatis Servi Dei in vita et post obitum magis in dies clarescente, Processus super ea Ordinarius Informativus in ecclesiastica Curia BrixienSI confectus et absolutus, Romam ad Sacram Rituum Congregationem transmissus fuit. Instante autem Rmō P. Raphaële a Vallefinaria, Ordinis Minorum Capuccinorum postulatore generali, attentisque litteris postulatoriis quorundam Efm̄orum S. R. E. Cardinalium, plurium Rm̄orum Archiepiscoporum et Episcoporum, neonon Capituli Cathedralis Ecclesiae BrixienSI, parochorum et Familiarum religiosarum in dioecesi BrixienSI aliisque finitimis existentium, rogantibus etiam Municipiis clarisque viris et familiis Camuniae Vallis, quum, etiam scriptis Servi Dei perquisitis et revisis, nihil obstet quominus ad ulteriora procedi possit, Efm̄us et Rm̄us Dñus Cardinalis Ianuarius Granito Pignattelli di Belmonte, Episcopus Albanensis et huius Causae Ponens seu Relator, in ordinario sacrorum rituum Congregationis coetu subsignata die ad Vaticanum coacto, sequens dubium discutiendum proposuit: *An signanda sit Commissio Introductionis Causae in casu et ad effectum de quo agitur?* Et Efm̄i ac Rm̄i Patres sacris tuendis ritibus praepositi, post relationem ipsius Efm̄i Ponentis, audito etiam R. P. D. Angelo Mariani Fidei promotore generali, omnibus accurate perpensis, respondendum censuerunt: *Signandam esse Commissionem introductionis Causae, si Sanctissimo placuerit.* Die 14 ianuarii 1919.

Quibus omnibus Sanctissimo Domino nostro Benedicto Papae XV per infrascriptum Cardinalem Sacrae Rituum Congregationi Praefectum relatis, Sanctitas Sua rescriptum eiusdem Sacrae Congregationis ratum habuit propriaque manu signare dignata est Commissionem Introductionis

Causae beatificationis et canonizationis Servi Dei Innocentii a Bertio, sacerdotis professi Ordinis Minorum S. Francisci Capuccinorum, die 22 eisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

✠ ALEXANDER VERDE, *Secretarius*.

L. ✠ S.

DOUBT REGARDING THE APPLICATION OF THE DECREE  
'REDEUNTIBUS' (OCTOBER 25, 1918)

(March 28, 1919)

SACRA CONGREGATIO CONSISTORIALIS

DUBIUM

SUPER DECRETO 'REDEUNTIBUS'

die 25 Octobris 1918

Quidam Ordinarii S. Congregationi Consistoriali sequens dubium dirimendum proposuerunt:

'An clerici in sacris, militum vulneratorum vel infirmorum adsententiae addicti, qui ex huiusmodi ministerio sponte sua maluerunt transire ad militiam pugnantiem, quin tamen mortem vel mutilationem intulerint, teneantur, iuxta mentem decreti *Redeuntibus*, dispensationem a Sancta Sede impetrare, ut ad sacri ministerii exercitium restituantur.'

Cui Sacra Congregatio respondendum censuit: *Affirmative*.

Atque ita rescripsit ac declaravit, die 28 martii 1919.

✠ C. CARD. DE LAI, Ep. Sabinen., *Secretarius*.

✠ V. SARDI, Archiep. Caesarien., *Adsector*.

L. ✠ S.

THE 'PIOUS CLERICAL MISSIONARY UNION' IS GRANTED  
CERTAIN PRIVILEGES

(March 20, 1919)

SACRA CONGREGATIO DE PROPAGANDA FIDE

PRIVILEGIA CONCEDUNTUR 'PIAE UNIONI CLERI PRO MISSIONIBUS.'

*Ex Audientia SS<sup>mi</sup> habita die 20 martii 1919*

SS<sup>mus</sup> Dominus Noster Benedictus Divina Providentia Pp. XV referente me infrascripto S. Congregationis de Propaganda Fide Cardinali Praefecto, RR. DD. Sacerdotibus 'Piae Unioni Cleri pro Missionibus,' vulgo: *Pia Unione Missionaria del Clero*, adscriptis et in posterum adscribendis, dummodo ad sacramentales confessiones audiendas sint adprobati, facultatem benigne concessit benedicendi coronas Septem Dolorum B. M. V., cum applicatione omnium et singularum Indulgentiarum quas Summi Pontifices eiusmodi coronis impertiti sunt, et benedicendi ac imponendi, sub unica formula, scapularia quae ut



Sodales praedictae Piae Unionis imponendi facultate gaudent. Voluit insuper Sanctitas Sua ut nominatio Praesidis pro diversis regionibus *Piae Unionis Cleri pro Missionibus* Revmo P. D. Cardinali Praefecto reservetur eique facultas sit immutandi Statuta Piae Unionis prout diversitas regionum in quibus erigitur exegerit.

Datum Romae ex Aedibus S. Congregationis de Propaganda Fide, die et anno quibus supra.

G. M. CARD. VAN ROSSUM, *Praefectus*.

C. LAURENTI, *Secretarius*.

L. ✠ S.

## REVIEWS AND NOTES

MARRIAGE LEGISLATION IN THE NEW CODE OF CANON LAW. By Very Rev. H. A. Ayrinhac, S.S., D.D., D.C.L. Benziger Brothers.

THE author, in the following passage in his Foreword, touches briefly on the object which he had in view in writing the present volume: 'Canonists will, no doubt, give us, before long, scientific commentaries on the New Code of Canon Law. Meanwhile, it was thought that a brief explanation, incomplete and fragmentary though it be, of that part of the Code which concerns the sacrament of Marriage might be of some service to the busy parish clergy who have to apply the law without delay.'

One's expectations are not unduly raised by this unpretentious announcement; all the greater, therefore, are the surprise and pleasure which one experiences on reading this undoubtedly useful commentary. It is not, indeed, a scientific treatise, in the style, for example, of Gasparri's or Wernz' classical work on Marriage; but to describe it as an incomplete and fragmentary explanation of the new legislation on this subject is much too modest an estimate. As a matter of fact, the author does not confine himself at all to explanation. He gives us very frequently a brief historical survey of the subject under consideration, with a view, no doubt, to explanation, but still quite interesting for its own sake. Where the discipline is changed, too, he indicates in how far this is the case—a most useful matter, especially for those who had lived under and administered the pre-Code laws. Nor is it fair to describe his comments as fragmentary. Brief they are in most cases, no doubt; yet, they generally manage to hit off the salient points of the situation. Sometimes, indeed, greater completeness is desirable. For example, we were disappointed not to find some reference to the difficulties arising from the change in the meaning of public and occult impediments. How are the powers of the Sacred Penitentiary to grant matrimonial dispensations affected? What interpretation is to be given to the *casibus occultis* of Canon 1045, § 3? Such are some of the questions which the change suggests, and which we should like to see raised and answered. Again, the author does not raise the very nice point as to whether Canon 1045, § 1, is a modification of Canon 81, or merely a particular application of it; in other words, whether in addition to impossibility of approaching the Holy See and danger of delay, another condition contained in the clause *quoties impedimentum detegatur cum omnia parata sunt ad nuptias*, is also required in order that the Ordinary may use the faculties conferred in this section. In commenting on Canon 1056, which



forbids the exaction of fees on the occasion of granting matrimonial dispensations, he makes no reference to the banns. In common parlance the latter are spoken of as impedient impediments to marriage, but in the Code they are not put in the section on impediments at all. The question, then, arises—a very practical one for this country at least—whether they are affected by the prohibition in Canon 1056. But the author can scarcely be blamed, especially considering the limited object which he had in view, for not discussing all possible points; we have called attention to these few omissions only on account of their very practical bearing.

Whilst, generally speaking, we agree with the author's comments, we have, however, noticed a few errors. Thus, on page 95, he states that 'it is a general principle that, through seizure by the superior, the inferior loses the power he might have in the case, unless there would be a grave and urgent cause for him to act.' Canon 204 makes it clear that he does not *lose* the power, but that it would be unlawful for him to use it. Again, on page 103, he declares that 'formerly the rule was that any error in the *supplica* obreption or subreption, if due to bad faith, always rendered the dispensation invalid, even when the error was of minor importance, provided it would have some bearing on the dispensation.' We quite agree, as far as written law was concerned; but there were a great number of modern canonists who held that, in accordance with the *stylus Curiae*, only substantial errors, whether they were in good or bad faith, invalidated rescripts. On the following page the impression is conveyed that the *Normae Peculiares* regarding capacity to obtain papal rescripts are still in force. The truth is that they are modified considerably by Canons 2265, 2275, and 2283. But these and a few other slight mistakes which have come under our notice are merely accidental matters; they do not at all interfere with the utility of the commentary as a whole. In all sincerity, therefore, we congratulate the author, and in the same spirit we recommend his work especially to the parish clergy, for whom it was primarily intended.

J. KINANE.

THE BEDROCK OF BELIEF. By Rev. William Robinson, S.J. Herder.

Two of Father Robinson's volumes were noticed in a previous number of the I. E. RECORD. The present volume completes his course of apologetics. Last in point of time, it is first in point of order and importance; for it meets the rationalist with his own weapon of pure reason, and establishes those truths of natural religion which form the substructure of revelation. Thus, the necessity of religion; the existence of a personal, omnipotent, self-existing Supreme Being; the nature and endowments of man, his duties to his Creator, and the eternal reward or punishment consequent on his conduct during life, are questions that are treated of in turn. 'Solidity with truth, rather than originality as to matter or method or presentation' is the author's aim—and achievement.

D.

COMPENDIUM THEOLOGIAE MORALIS. By Rev. Aloysius Sabetti, S.J., and Rev. Timothy Barrett, S.J. London: B. Herder, 68 Great Russell Street, W.C.

It is unnecessary to discuss the general merits of this work. So many have already borne witness to the author's clearness in exposition, to his completeness, and to the orderly way in which he has arranged his subject, that further testimony would be out of place. The extraordinary fact that this book, notwithstanding its scientific character and the limited public to which it appeals, has already reached its twenty-seventh edition is perhaps the highest tribute that could be paid to its excellence.

The special feature of the present edition is its accommodation with the new Code of Canon Law, and it is this alone which requires a note from the reviewer. This compendium of Moral Theology has not been a stereotyped work. During the years covered by its manifold editions new legislation was frequently published, new problems in the domain of morality sometimes arose, and the promptness with which modifications and solutions were embodied in the work explains, in some measure, its popularity. The author's task on the present was incomparably more difficult than on any previous occasion. Hitherto, isolated points only were affected, whereas the new Code has introduced modifications in almost every department of Moral Theology. But, even though due allowance has been made for the magnitude and difficulty of the task, the manner in which it has been accomplished is rather disappointing. The author has done little more than to incorporate the pertinent canons of the Code in their appropriate places. No doubt, even this much will be very useful, especially for those priests for whom this handbook is a kind of *vade mecum*; but the excellent way in which new developments were hitherto embodied and explained led one to expect something more. The author, indeed, ventures upon an occasional comment, and when he does, his remarks are usually illuminating. With some of his conclusions, however, we cannot agree. Thus, for example, on page 82, he states that it is probable that material heretics and schismatics are not bound by ecclesiastical laws, the primary object of which is the personal sanctification of the individual; to our mind, Canon 12 clearly implies that baptized persons, without distinction, are subject to all ecclesiastical laws, irrespective of their character. Again, to give another illustration, his comment on Canon 522, p. 747, is that, when nuns and sisters are outside their convent, they can enter any church or oratory, even semi-public, and make their confession to any confessor approved for the confessions of women. Apart altogether from the controversy regarding the significance of the phrase, *ad suae conscientiae tranquillitatem*, the statement is misleading: it implies that the semi-public oratories within the convents themselves are not privileged.

The author, too, occasionally loses sight of certain dispositions which would help to throw light on the matter under discussion. Thus, Canon 781, § 2, forbids the administration of the Sacraments to heretics and schismatics, even though they are *bona fide* in error and even though



they ask for the Sacraments, unless they have previously rejected their errors and have been reconciled with the Church; yet, although it is quoted in page 559, no account is taken of it in page 713, where the author deals with the question of absolving a material heretic who is in danger of death. The same failure to take cognisance of the new dispositions is shown in the treatment of another very practical question. The Code indicates pretty clearly that *peregrini* are bound by the local reservations of the place in which they are, yet the author discusses the matter without any reference whatever to these indications.

As we have already indicated, we are concerned in this review mainly with the revision of this compendium in accordance with the dispositions of the new Code of Canon Law; and the trend of our remarks is to show that this revision is not as perfect as it might be, or as the author's previous record in the department would lead one to expect. The work as a whole is unimpaired in value, and we confidently anticipate for it a continuance of the popularity it has hitherto so deservedly enjoyed.

J. KINANE.

THE TRUE APOSTOLATE. From the French of Dom J. B. Chautard, by Rev. Ferreol Girardey, C.S.S.R. Herder.

DOM CHAUTARD's sole object in *The True Apostolate* is to inspire apostolic workers, lay and cleric, with the spirit of their mission. Consequently he confines himself to the task of urging the absolute necessity of the interior life and showing the means by which that life is to be preserved and fostered. The original French edition of the *True Apostolate* met with a most cordial reception. Within four years of its first appearance in 1912, 50,000 copies were sold; Pius X and many members of the Hierarchy recommended it to the clergy and religious; and our present Holy Father, Pope Benedict XV, praised it for its solid doctrine and wise counsels. A book so approved merits a place in every spiritual library. Father Girardey has given us the Trappist-Abbot's work 'somewhat condensed' (to use his own words) 'in English dress.' We suggest the word 'basis' or 'foundation' as a substitute in the headings pp. 77-97 and elsewhere in the text, e.g., pp. 73, 74, and 77. Some other quaint expressions also require to be rewritten,

A LIFE OF ST. FRANCIS XAVIER. By M. T. Kelly. Herder.

THE life of St. Francis Xavier is a romance and a miracle. Handsome, gifted, and ambitious, the young Spanish noble up to the age of twenty-five had his heart filled with the desire of attaining to high dignity in the Church. But a brief association with St. Ignatius in Paris, and the latter's frequent repetition of 'Dom Francesco, what doth it profit a man?' opened Xavier's eyes to the vanity of earthly glory and won him to the poverty and self-sacrifice of an apostle. Thenceforth, like another St. Paul, he counted everything as loss in

comparison with the knowledge of Christ; and, in journeying often in perils of waters, in labour and painfulness, in much watchings, in hunger and thirst, he spent himself preaching the Gospel of salvation from India to Japan. At forty-six he died.

In her *Life of the Saint* Miss Kelly has made use of the most recent critical biographies, and thus has been able to correct several errors that have hitherto passed current. Father Richards, S.J., New York, in the Preface that he has written, gives an appreciation which we may be permitted to quote: 'That the work has been performed in a manner worthy of its subject is guaranteed by the established reputation of the authoress, and also by the fact that it has been undertaken at the suggestion and to some extent under the guidance of the Reverend Henry Browne, S.J., the distinguished Professor of Greek in the Irish Catholic (?) University, and President (?) of the Irish Catholic Truth Society.'

D.

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# 'THE ETHICS OF TOTAL PROHIBITION'

## AN ANSWER TO THE REV. P. COFFEY

BY REV. J. M. PRENDERGAST, S.J.

THE I. E. RECORD for December, 1918,<sup>1</sup> presents the strongest case that the writer has yet seen made out for Prohibition. Rev. P. Coffey, S.T.L., Ph.D., is the advocate. The word clever applies to the article in every detail. The advocate hints where it is best to hint; he glosses over the points against him which it would be unwise either to omit or to emphasize; he characterizes as 'puerile' an adverse argument, against which he finds no better answer; and he presents his main contention in abstract terms which only a rash man would deny as they stand without opportunity given him for a lengthy explanation. This opportunity the writer proposes to take unto himself herewith. May he also take opportunity to make his plaint, that as in this article, so everywhere else in the controversy, it is assumed that cold, detached, scientific accuracy, the *unbefangene wissenschaftliche* view, which the Germans of the higher criticism delighted in assuming as their own, is all on the side of the Prohibitionists, while the others are necessarily biased by inherited prejudices, personal likings for the winecup, and a great unwillingness to see the question objectively. May the writer first remind all concerned that there is an immense accumulation of knowledge about the use (for the moment *transeat* the abuse) of liquor? It extends from Noah to the present day, and is the common traditional heritage of educated and uneducated alike. It may be said safely, that the broad conclusion of that experience is, that in the use—not the abuse—of liquor, there is much pleasure, promotion of good fellowship, help to digestion, brightening of the spirits, and no appreciable bodily harm or

<sup>1</sup> Fifth Series, vol. xii. pp. 449 et seq., 'The Ethics of Total Prohibition.'

degeneration. 'Let us wait and educate,' says the reverend Father pityingly. Will the education undo the experience of the ages? And if it does, alas! shall we have unlearned an error, or merely have added another to our list? For education can inculcate error as well as truth. Witness the Protestant teaching of History for the last four hundred years! As to the liking for the winecup, which is insinuated—not asserted—as one of the 'factors of error,' the writer respectfully recalls to the mind of all such objectors, that it is natural to the intellectual animal, termed man, and therefore forms an *a priori* presumption, that the upholder of fermented drink has the saner position, just as the natural tendency of men and women to mate furnishes a strong *a priori* presumption that the Manichean position against marriage is wrong. Nor is the reputation of cold-blooded, scientific objective conviction from the force of the facts, quietly assumed for the Prohibitionist, justified either by the writer's experience or by history. Not to go outside of my opponent's article, Father Mathew (God rest his soul!) had anything but cold scientific impersonal motives for his hatred of liquor. Enough of a disagreeable subject!

With this preliminary plaint off his mind, the writer again expresses his admiration for the cleverness with which the contributor to the I. E. RECORD has put Catholics in the wrong for not sustaining Prohibition. It was because they exercised their liberty in not sustaining it, that laws were passed prohibiting the Mass. It was when the Protestants discovered, to their surprise, that Catholics objected to these laws (or was it after Prohibitionists found that the courts would not uphold these laws?) that the Anti-Saloon League declared that it had no intention of doing anything against the Mass. And then Catholics are reproved for not seeing how fair all this is, and warned to bear no false witness against their neighbour! My opponent may not know that, in America at least, though men may differ in opinions about the results of the Prohibition drive, about the methods used in the drive there is much more unanimity. A sentence of Cardinal Newman, with an altered ending, best expresses it: 'It is by wholesale, retail, systematic, unscrupulous lying, that the many rivulets are made to flow for the feeding' of Prohibition.



The original ending of Newman's sentence calls to mind the first of a long chain of presumptions against Prohibition from a Catholic viewpoint. My opponent need only consult his own list of the countries which have adopted it, to recognize that the movement is essentially Protestant. Now, if Protestantism has *originated* one good movement, history fails to show it. It has indeed carried on good movements which it took over from Catholicity; for example, the suppression of slavery. But what it originates, like the originator, has been merely destructive. 'Ich bin der Geist der stets verneint.' 'Granted!' my opponent may say, 'but let not that stand against it, in God's name, when it has originated a good one!' But has it originated this one? It has not. Within the times of historical Christianity, the movement for Prohibition has twice appeared markedly in the world. Its originators, the Manicheans, were condemned by every Roman emperor, who stood for the civilization of the Western world, from Constantine the Great to Theodosius the Great. They were forbidden by Imperial decree to bequeath or inherit. Their property was confiscated. 'This kind of men,' says one decree, 'has nothing in common with other men either in customs or in laws.' The Dualistic doctrine of the Manichees about God, and their teaching that wine is the creation of the Evil God, is commonplace historical knowledge. Though the Manichean writings have been all destroyed by Imperial order, as baneful, the writer has not the slightest doubt that the Prohibitionists give a pretty accurate reproduction of them as far as liquor is concerned. They have, in America, dropped all the usual names which define and distinguish the various fermented liquors, and picked up a slang expression from the gutters to serve for all, and at the same time to reprobate all, 'booze.' 'The demon rum,' 'the devil's brew,' 'the drink devil,' are the ordinary characterizations of liquor, and that from Catholic *temperance* orators, as well as Protestant. The distinction between the use and the abuse of a good thing is made seldom, if ever. In fact, the word good, in any reference to liquor, is sedulously avoided. All this is plain Manichean. 'A good cause,' my opponent reminds me, 'may be championed (and injured) by bad arguments.' Without doubt! But it is precisely the 'goodness' of this cause which is the question at issue.

It is no argument for it to put the epithet 'good' in front of it. And the universal use of the Manichean epithets and reasonings to support it furnishes a strong presumption against its 'goodness.' My opponent, even, though he carefully disclaims any Manichean bias, has not quite cleared his lungs from its mephitic gases. He puts the question,

Could it possibly be right or lawful for the State, in the warmer wine-growing countries, for instance, where wine has been the staple daily drink of the people from time immemorial, to enact a law which would interfere so gravely with their personal liberty and give such a violent wrench to their habits of life, destroy a great industry, and entail a world of turmoil and confusion? To which the prudent Prohibitionist will reply that, in the case contemplated, a Total Prohibition Law would have no chance of passing.

But why not make the obvious reply that, since in the wine-growing countries the abuse of liquor is almost unknown, the pretext of an excuse for prohibiting a good is away. Why say, 'Moses, by reason of the hardness of your hearts, permitted you'? Why bring other reasons forward, when this great one stands knocking at the door, unless the Manichean error sits inside reluctant to open it? 'Alcoholic beverages are not intrinsically evil,' he concedes elsewhere in the article. Why use two negations to express an affirmative, except that he is reluctant to say plainly, 'Alcoholic beverages are good'?

Again, he asserts that 'many of the popular beliefs, still widely prevalent in these countries in favour of alcoholic indulgence, are inherited prejudices, long since scientifically exploded.' He seems to forget that the doctors of these northern countries (not, so far as the writer is aware, the physicians of the south), are taking a position against the universal medical tradition of the ages! Why not mention that the sons are in rebellion against their medical fathers, and that the chances are, to say the least, equal that the past is right and the present wrong? He might even strengthen this argument by mentioning a few of the many fads which medical science has adopted and rejected, within his own memory. For instance, a few years ago, physicians vehemently advocated prepared milk for babies in preference to the natural sustenance from the mother. That, they have already given up. Again, infant specialists have been advocating a regime



for the baby which forbids him to be removed from the cradle, allows him to be fed only at stated periods, and generally disregards his infantile wails and protests. The writer has noticed that while mothers obey in the case of the first child, their common sense usually comes to the rescue of the second child, and disregards the faddists' theories in obedience to the dictates of Mother Nature, which seems to have the better of the argument, even in the growing opinion of these same specialists. At present there is a widespread belief in the domain of medicine that all diseases may be remedied by pulling the patients' teeth; that, also, has received a few strong shocks. Why may not this doctrine of the harmful effects of liquor be in the same class of fads, and why is he so sure that it is among the great truths 'that have been discovered and established by scientific research in recent years, and which were still either ignored or doubted or disbelieved because they ran counter to the drinking prejudices of our social habits and traditions'? Can there be a slight taint of the Manichean atmosphere lurking even in his clear brain? As a matter of fact, it is impossible for an unbiassed observer to escape from the conclusion that the total Prohibition movement is permeated and motivated by the conviction that fermented drink is an evil, not a good. We pass on now to the method of the Prohibitionists. In this they take a lesson from Mohammed. Mohammedanism has the unenviable distinction of being the connecting link, evolutionally and historically, in this meddlesome trinity, Manichean, Mohammedan, and Methodist. One needs but to mention the fact—for it requires no proof—that Mohammedanism stands condemned by all Christianity, by western civilization, and by its own history of degeneracy and decay. From Mohammedanism our present-day Prohibitionists have added to their store, the idea of governmental and forcible suppression of wine and its use. They are the finished product of Manichee and Mohammedan.

This leads the writer to his instinctive antipathy for Prohibition—a reason shared by almost all Catholics. It is the light in which this condemnation of liquor places the Mass. My opponent vigorously protests against any attempt by the State 'to interfere in a matter of religious worship which falls wholly and exclusively within the

competence of the Church.' He even elaborates the point, giving it a whole paragraph and terming it an 'unwarrantable trespass of the State on a domain which is beyond its jurisdiction.' But though he may convince Prohibitionists that it is best to keep their hands off the Mass, for reasons of prudence, with what argument will he meet their murmurs that if the Church sanctions what is ethically wrong, it should be coerced by the law, like any other wrongdoer? If the thing is bad in itself—and this, the writer maintains, is at the bottom of all the present Prohibition agitation—then the Church which uses its position to protect iniquity falls within the condemnation of every good man, whether he be able or not to carry that condemnation into effect.

And now, the writer presents an assertion which seems to him to be self-evident to any Catholic. He will take a leaf from his opponent's book and italicize: *There is something radically wrong about any movement which makes it criminal to do outside the Church door what the Lord God has commanded to be done within, as a supreme remembrance of Him.* And those who oppose the Mass have but two reasons. He may take either horn of the dilemma. Either they consider liquor to be evil in itself, or they are moved by a diabolic hatred of the Mass. In both cases, a stigma is cast by their action on Jesus Christ.

The writer now approaches the central contention of his opponent's article. ('Why not have approached it long ago,' says my opponent. 'You would have found me saying indirectly that liquor is a good.' But the defence submits that what an advocate says indirectly in a short proposition, and what he insinuates throughout a long article are very different things. Moreover, what the animus of total Prohibition is, apart from any individual presentation of it, is something which cannot be judged by one man's remarks.) 'It is the function of the State,' he says, 'to promote the main good and social well-being of the community. *If, in order to accomplish this, the State finds it necessary to deprive the individual citizens of all access to the enjoyment of certain temporal or material goods or conveniences which are in themselves lawful but not indispensable, the State has the moral power to do so.*' This, he says, 'is an ethical principle or thesis which will scarcely be disputed.' As Shakespeare says, 'That would be scanned,'



together with the next proposition equally emphatic, which completes my opponent's argument. (The writer quotes it now to put the whole in one view before his readers.) It is also italicized. *'Even if such a measure be not the only possible means of promoting the common good—of remedying grave and widespread evils—nevertheless, if it is believed by the majority of the community to be the most efficient means, and as such is demanded by them, then, too, the State has the moral power to enforce the measure and to impose on the individual citizens the resulting inconvenience of so far restricting personal liberty.'*

May we call attention to the fact before beginning any discussion, that for the phrase 'deprive the individual citizens of all access to,' etc., which is euphemistic for 'suppress,' in the first proposition, the advocate substitutes in the second proposition, 'restricting personal liberty,' as if restriction and suppression were equivalent terms. Of course they are not, and he knows it.

For a while, the italicized exactness of these two propositions, their stern challenge of invulnerability, almost overwhelmed the writer. Add to this the assertion of the one who formulated them—that they were 'beyond all dispute,' and one has a situation to make the boldest shrink. However, the writer learned long ago from Cardinal Newman that an abstract or notional proposition is, at best, but probable, hanging in the air from a multitude of assumptions, any one of which, if proved untrue, invalidates it; moreover, that its best test is to reduce it to the concrete and real. Let us test out this Hindenburg line. There occurs to the writer's mind the proposed law in one of the western States, giving prison doctors the right to render impotent certain male prisoners. Our advocate's first proposition makes the law good beyond question. Take even the proposed laws of Euthanasia, i.e., giving doctors the right to put out of misery hopeless cases of disease. Of course our advocate will object that life is more than 'a lawful convenience.' It is 'indispensable.' But who is to say so in the case of the hopelessly sick? If the French judge of far renown declared 'je ne vois pas la nécessité' to the prisoner, who maintained 'il faut vivre,' why may not 'the majority of the community' to whom all power is given in the second proposition, decide that the sick man's necessity to live is merely a foolish

prejudice in favour of a useless thing, just as the Prohibitionists have decided about liquor? But these things are against the moral law! someone will say. There is nothing said about the moral law in these Hindenburg propositions; nay, even before the writer finishes, he will try to show that the propositions run counter to a great moral law. But let us imagine some more concrete cases.

Let us suppose that the State finds that too many pedestrians are injured by automobiles on the public streets. It, therefore, deprives pedestrians of the right to walk in public and compels them to use some other means of conveyance. Again, let us suppose that the State is agreed that the long hair of women is a menace to health by reason of its uncleanness, and by law compels all women to cut their hair short, as the writer believes has been done with school children in England. Let us suppose, again, that the State, following the advice of doctors, concludes that it would be better for the health of the community to wear wool both in summer and in winter, and passes a law making it compulsory to so so. All this falls within the scope of his 'notional proposition,' when reduced to the concrete. But he may say this is foolishness. We simply quote in answer to him his further proposition, in his own words, 'beyond all dispute': *'If it is believed by a majority of the community to be the most effective means and as such is demanded by them, then, too, the State has the right to enforce the measure and to impose on the individual citizens the resulting inconvenience, of so far restricting personal liberty.'*

So that if these propositions be correct as they stand, there is absolutely no limit which may be set for the State in *suppressing* the personal liberties of its citizens; and this, it seems to the writer, opens up the real defect in these principles. There are two!

The remark of an old priest put him on the track of one, and his limited personal intelligence has already pointed out the other. The old priest (a Pole, I believe, from whom such a remark comes pregnant with its full meaning), in a diocesan conference in Baltimore, said, *Maximum bonum, libertas*—'Liberty is the greatest common good.' The religious is told that he makes his great sacrifice, in *voluntarily* giving up his liberty. Some eager, but



foolish, Prohibitionist would interpose here: ‘That is exactly the sacrifice *we* ask men to make.’ Not at all! You don’t *ask*; you force! Men don’t sacrifice; they are sacrificed. But to proceed.

My opponent puts ‘the common good’ over against and beyond personal liberty. On the contrary, personal liberty is the greatest common good. The writer would not be a demagogue, but he is perfectly sure that if he appeared on the hustings in Ireland, or elsewhere, at present, with this proposition on his lips, the cheering that greeted it would rend the heavens. Any common good, therefore, which limits personal liberty must be carefully weighed in the scales against the liberty restricted, and it must be proven to be of such importance that the restriction is justified. Mark the use of ‘restriction’ as opposed to ‘suppression’ of personal liberty, which my opponent wishes to skim over but which is a most important distinction. (‘The law which regulates the liquor traffic by license,’ he declares, ‘already deprives me of my liberty to manufacture and sell alcoholic drinks. As between the two laws [the license law and total Prohibition] it is a question of degree.’ This is simply untrue. One *restricts* the right to drink, and the other *suppresses*. There is an essential difference.) Any law which suppresses personal liberty suppresses the greatest common good, preferring a lesser good in its place. It is for this reason that few laws attempt to suppress personal liberty, contenting themselves with restricting it. For example, the drastic law against spitting on the streets, in the cars, or in public places, in force in the City of New York, still leaves men the right to spit, if they wish, in their handkerchiefs. The Sullivan law in force in the same city, against the possession of weapons, whether at home or abroad, sins by this total suppression of a personal liberty, and as such, so far as the writer knows, is quietly disregarded.

The writer’s first proposition is, then, that laws for the common good, as all laws are supposed to be, may restrict the use of any particular good, but may not suppress the use. *Furthermore, there must be some personal liberty secured or augmented, to compensate the personal liberty which is restricted, through the same law which restricts*, and the comparative value of the two must be

carefully weighed, before the law is passed. As an instance of my meaning, the restriction of game-shooting to certain seasons must give, as it does, more people liberty to shoot game, in return for the restriction on liberty. If there were no such law there would soon be no game to shoot. Supposing for the moment, as my opponent supposes, that suppression and restriction are the same thing, can he point out a personal liberty, which is secured or augmented by the suppression of drink? The writer sees but one: the liberty secured to Prohibitionists to impose their personal convictions through force. The liberty to do good work, to support the family, to put money in the bank, etc., urged by Prohibitionists, are all there already, and, in addition, the God-given liberty to enjoy in moderation one of his creatures, drink.

The writer has already pointed out that in these two propositions there is no mention of the moral law. He has shown now that there is a denial of the natural law, of which the moral law is a part, since the propositions suppress the greatest 'common good,' personal liberty, at the will of a majority, which, moreover, is responsible to no one for its judgment, '*if it is believed by the majority to be the most effective means, and as such, is demanded by them.*' No common good, however great, can be weighed in the balance against entire suppression or personal liberty, in things which, before the State forbade them, were legitimate. (All this holds for ordinary times. In time of war, when the existence of the State is threatened, all else yields to the '*Salus publica, suprema lex.*')

Now, for some final remarks. The writer has not followed our advocate in his discussion whether Prohibition, in certain countries and under certain conditions, would be 'unethical,' for the simple reason that it is always unethical, *or, in plain Anglo-Saxon, bad.* The question is one of essentials, not of circumstances. The old rhetorics had a line designed to furnish topics to orators: '*quis, quid, ubi, quibus auxiliis, cur, quomodo, quando.*' To follow the line there is question of a 'quiddity,' not of the other circumstances. It is a question of the ethics of the suppression of the virtue of temperance.

The word 'temperance' brings up the fact that my opponent passes by as 'puerile'—the argument against Prohibition, that it destroys the feasibility of the virtue



of temperance, without mentioning his reasons for this epithet. Surely, even within the limits of his article there was room for stating those reasons. Temperance deserves better treatment at his hands! From the time of Aristotle it has been termed one of the Four Cardinal Virtues. To say that we are given opportunity at the expense of temperance to practise obedience, is rather a cavalier treatment of a greater virtue, by suppressing it altogether, in order to give opportunity to practise a lesser, for whose practise plenty of opportunity is already afforded. The writer could fill a book with arguments against the fallacy which makes a desert void of weeds at the expense of the loss of the flowers, and thinks it has done well in the result. The book would be called 'a parable for rulers,' and it would simply expound the parable of the 'wheat and the tares,' as Our Lord gives it in the thirteenth chapter of St. Matthew. The central theme would be: 'lest perhaps, in rooting out the cockle, you root out the wheat together with it.' 'Suffer both to grow until the harvest.' What, in face of this teaching about the proper spirit of government, are we to think of the effort at Prohibition, as a Divinely instigated movement?

Though the other way, about to be mentioned, fail, still it is the way recommended by the Great Legislator, God Himself. He expressly forbids His servants to root out the evil at the expense of the good. Even though the good be unintentionally destroyed in rooting out the evil. He holds that the loss overbalances the gain. What would He think of a deliberate intention to root out the good plant of temperance in order to destroy thereby the evil weed of intemperance? The writer recognizes, as does every sane man, among whom he trusts the Lord counts him, the many abuses of liquor. But 'abusus non tollit usum.' A much more experienced and greater man than himself, Cardinal Gibbons, gives his voice in favour of stringent restriction of the abuse. 'But restriction has failed as a remedy,' urge the Prohibitionists. Restriction has *not* failed as a remedy, but the remedists—to coin a term—have failed to restrict. So have Christians failed to realize Christianity. The answer is to keep on trying in both cases. The other answer, to which the three last Popes have devoted briefs, is to teach men insistently with the Catholic Church the nobility of the virtue of

temperance; the virtue of the Son of Man, who 'came eating and drinking.' The writer fears that the truth is, though perhaps it would be more charitable not to say it, that the Cardinal Virtues of Prudence, Justice, and Temperance seem to be little esteemed by Prohibitionists, in comparison with the vision of a Sahara-Nirvana, in which alone they deem that mankind may safely enjoy 'the marriage supper of the Lamb.'

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# THE RELIGION OF THE PENTATEUCH

BY REV. G. BINNS, S.J.

It can hardly be expected that the limits of this article will not involve gaps in the treatment of so extensive and important a subject. Attention will, consequently, be confined to the larger issues : the nature and worship of God ; the human soul, with its relation to God and a future life ; the faith necessary to guide the soul in its progress towards that goal ; sin—the great obstacle that checks such progress—with the correlative dogma of Redemption ; lastly, the manner in which these truths were put into practice by the chief personages of the narrative, and the whole question of the morality of the Books.

The Catholic, controlled in his interpretation of Scripture by divinely-appointed authority, is preserved, in studying the subject of these lines, from the common error of seeing in similarity of primitive cult a necessary identity of origin, such as totemism, ancestor-worship, or poly-daemonism. Such theories, it is true, as that food-taboos are to be found in the 'unclean' animals of the Pentateuch, or, again, that ancestor-worship is traceable, e.g., in mourning-customs, funeral repasts, and the importance attached to tombs, might speculatively, without prejudice to the Catholic position, be credited with as much truth as could be vindicated by their defenders. Abraham was called by God from a polytheistic family (Josue xxiv. 2, 3 ; Judith v. 6, 9) and he must have had hard work to eradicate from the companions of his wanderings age-long pagan beliefs and customs. But that such was the only religious equipment of the Israelites in patriarchal times, that there was no direct intervention of God but only natural religious progress, cannot possibly be maintained, unless the sole historical evidence we have is to be set aside and replaced by sheer hypothesis.

Hence, also, theories that make the God of the Israelites a mere glorification of some local deity must be rejected.

The idea that certain stones, trees, and springs are consecrated to Yahweh is natural enough. The cool shade and refreshing water would be of inestimable value in nomad life, and where Abraham found such convenient resting-places he would naturally seize the opportunity of paying definite worship to his newly-revealed God. After his time they became sanctified by his having adored there. Altars were built, pillars erected and anointed, and the Lord's name invoked—a rite resembling, as far as it went, the pagan, but in no way necessarily involving worship of the local pagan deities. It is alleged that the scenes of the patriarchal worship were peculiarly sacred to such deities, but even if the Chanaanite oak at Sichem (Genesis xii. 6, 7), the Amorrhite oak at Mambre (Genesis xiii. 18), and the mountain at Bethel (Genesis xii. 8) were dedicated to pagan worship—and this is hypothesis—there would be no disloyalty to Yahweh if Abraham erected there his primitive altars, especially seeing that they were memorable to him from divine visitations. Perhaps the evergreen tamarisk at Bersabee (Genesis xxi. 33) symbolized for him the God of Ages. Jacob buried the strange gods of his household under the turpentine-tree at Sichem (Genesis xxxv. 4), but this is explicit rejection of any god save Yahweh.

Again, when he sets up a 'mazzebah' (the name given to the sacred pillars of the heathen) and anoints it at Bethel (Genesis xxviii. 18), it is the place that is sacred because of his vision. His thoughts are full of the sacredness of the spot: 'Indeed, the Lord is in this place and I knew it not. . . . How terrible is this place! This' (the place, and not the stone) 'is no other but the house of God and the gate of heaven.' Though he proceeds to call the stone itself 'the house of God,' his words must be understood in the light of what he has already said. Besides, when he returns to fulfil his vow by building an altar, it is expressly the place that is called Bethel. It might be added that a 'mazzebah' was set up on Rachel's tomb (Genesis xxxv. 20), but there is no evidence of tombs being a place of worship.

The spring at Cades is probably sacred and called 'the spring of judgment,' not because of a local deity but owing to the decisions given them later by Moses; while it is the appearance of the same Yahweh who led Abraham from Ur that sanctifies 'the well of him that liveth and seeth.'



As against the above crude idea of the God of the patriarchs, it is clear that the God of Abraham, Isaac, and Jacob, though in early times His theophanies are in accordance with the character of a primitive people, is the God of Moses, Isaias, and St. John. The words of Exodus vi. 3, probably do not mean that the mere name Yahweh was unknown to the patriarchs, but that henceforth His manifestations to Moses and the Israelites will be made under a special aspect denoted by that name. What that aspect was is not altogether clear. The name is, it seems, third person imperfect, derived from the old form of the verb 'to be' (*Hawah*), and used as a noun. It is explained in Exodus iii. 14, the third person being changed to the first. The form under consideration may be in either the Qal or Hiphil, but the use of the word in the latter is very rare. The Vulgate, Septuagint, and Douay Versions all take the grammatical form of continuous time in the present, implying, in the case of God, perpetual existence in past, present, and future: 'I am Who am.' From this it has for long been maintained (such an eminent scholar as Father Hetzenauer still represents the view) that the name indicates God's necessary self-existence.

Nevertheless, *continuous* action in Hebrew is denoted by the participle; the imperfect, which is given in the Hebrew text of Exodus iii. 14, denotes *reiterated* action<sup>1</sup> (present or past indifferently), or it may refer to the future. If the former alternative be chosen, it would mean either, 'I am wont to be that which I am wont to be' (present) [which appears to be intended by the Authorized and Revised Versions: 'I am that I am'], or 'I used to be what I used to be' (past), this last interpretation giving no sense in the context. The interpretation of present reiterated action, according at least to some of its supporters, besides implying the impossibility of describing Yahweh's nature except by itself, declares His existence as opposed to the non-existence of heathen deities, and further, that it is His nature to be ever manifesting Himself under some fresh aspect. For it is contended that *Hayah* denotes not essential being, but manifestation of being. If the future rendering be adopted, it would mean that God will manifest Himself under the manifold aspects of His attributes,

<sup>1</sup> Cf. *Hebrew Grammar*, Gesenius-Kautzsch, 2nd English edition (Cowley), § 107 d.

or perhaps under one special aspect. In favour of this last interpretation it may be pointed out that while the Vulgate, Septuagint, Douay, Authorized, and Revised Versions all take *'ehyeh* in the present, they all render the same word used by God in the very same context (only two verses previously) by the future, 'I will be.' Further, Osee i. 9, seems to refer fairly definitely to this future rendering.

Before leaving this point of grammar, it should be mentioned, with regard to the meaning itself of the name Yahweh, that conjectures as to the earliest meanings of *hawah* are irrelevant. The concern of the theologian is what was the meaning of this divine name for the Hebrews. Professor Burney, in his recent edition of the Book of Judges, after tracing (page 243) the name to the Babylonian *Yahu*, recognized at the time of the first dynasty and probably introduced by the Amorrite immigrants, is anxious to state clearly that

the views which he puts forward . . . as to the early identification of Yahweh with the moon-god Sin,<sup>1</sup> do not, in his opinion, derogate in any respect from the *uniquely new significance*<sup>2</sup> in which the name is related in Exodus iii. to have been revealed to Moses at Horeb. That revelation, with its new exposition of the name . . . no less than the fullness of moral and spiritual meaning which Israel's prophets and psalmists were inspired to draw from the name in later ages stands unparalleled in the history of Semitic religions; and is wholly unaffected by the fact that the name itself appears to have been known and used in earlier times, and among a wider circle of peoples.\*

That the Yahweh of Abraham is the Yahweh of Moses does not, it is true, necessarily mean that the patriarch arrived at such a lofty conception of his God. But if, as Professor Davidson has pointed out,<sup>4</sup> Moses did not reach the idea of a spiritual God by study or thought, but by direct revelation, why should not the revelation to Abraham have amounted to as much? Anthropomorphism, as the same writer himself says elsewhere, only testifies to strong belief in the personality of God.

What is said of the God of the patriarchs is, even from the Catholic standpoint, the language of a writer no earlier than Moses, but of an inspired Moses who could not represent patriarchal ideas on such vital matters other than

<sup>1</sup> Prof. Burney himself makes it clear how very precarious is this identification.

<sup>2</sup> Italics his.

<sup>3</sup> p. 248 note.

<sup>4</sup> *Theology of the Old Testament*, p. 110.



they really were. His truthfulness is, in fact, shown by the simplicity of those ideas, which are yet far above the carnal nature often attributed to them.

God showed Himself to the patriarchs as El-Shaddai (Exodus vi. 3), and though no certain meaning can be given the name, in places it seems certainly to convey the thought of power. If omnipotence cannot quite certainly be gathered from it, surely this idea is presented in Genesis xviii. 14: 'Is there anything hard to God?' The God of the patriarchs was also 'The Most High God, Maker (or Possessor) of heaven and earth' (Genesis xiv. 22), and 'He that liveth and seeth' (Genesis xvi. 14, xxxi. 50). He shows Himself the Lord of the earth by His promises of Chanaan to the Israelites and His destruction of Sodom and Gomorrha. He is the Supreme Protector of the Patriarchs and their reward (Genesis xv. 1, xvii. 2, xix. 22, xxxv. 10, etc.). He is gracious in hearing their prayers (Genesis xviii. 23). He knows the future, as is indicated by His promises, and also by such texts as Genesis xviii. 19.

Further, though it may be true that the early Semites were monolaters rather than monotheists, i.e., though it be granted that, while they paid cult only to one God, they nevertheless recognized many, the only proof that this was so with the Israelites would consist in their having adored other gods continually and officially. Now, was this so? Undoubtedly, examples of idolatry are not uncommon in the Pentateuch, but the instances are clearly in conflict with the pure faith in and worship of Yahweh displayed by the patriarchs. The covenant between God and Abraham is intended definitely to sever the Israelites from pagan worship, and Abraham so understands it (Genesis xxiv.). Jacob (Genesis xxxv. 2) expressly rejects the idolatry of his household. For Mosaic times, Catholics, considering the documentary theory, with its concrete implications as to chronology and authorship, untenable, may appeal to the indubitable testimony of Deuteronomy.

As to the general idea of God throughout these books, a fuller treatment than can be given here is necessary if it is to be appreciated. It has been said that 'all other designations of God and all other assertions respecting Him and all other attributes assigned to Him' in Scripture are contained in the two facts predicated of Him in the opening chapters of Genesis, viz., that He is Creator of all that

is material and spiritual, and that He is the absolute personality.<sup>1</sup>

Now, in this passage, though the primary meaning of *bara'* is 'fashioned,' when used in connexion with God it requires the further meaning 'created,' and the force of the opening words of Genesis is in the statement that the universe came from Elohim. In both the Qal and Hiphil the word is used of creating, and in the former—of which there is question here—it is even confined to divine activity. To restrict attention to the Pentateuch, it is used, besides the passage being dealt with, for God's creation, in each instance, of beasts (Genesis i. 21), of man and woman (Genesis i. 27, v. 1, 2, vi. 7; Deuteronomy iv. 32), of 'a new thing' (e.g., the earthquake that swallowed up Korah and his followers, Numbers xvi. 30).

God is, then, with the early Hebrews, not merely a person of great dignity. He is the Supreme Lord of all that is, who claims the services of all creatures. He is immutable (Numbers xxviii. 19) and omnipresent (Deuteronomy iv. 39). His theophanes—the 'angel,' 'face,' and 'glory' of Yahweh—indicate His essential invisibility (cf. Exodus xxxiii. 20). His vision is all-embracing (Genesis i). While He shows Himself, perhaps predominantly, as powerful, just, holy, and 'jealous,' or zealous for His honour, He is characteristically good and faithful; He loves His people (Deuteronomy vii. 8, 13), and wills to be loved (Deuteronomy xi. 13); He is 'merciful and gracious, patient and of much compassion and true' (Exodus xxxiv. 6). Certain difficulties with regard to His dealings with men will be touched upon when the morality of the Pentateuch is considered.

The doctrinal element of these books comprises also something of value about the soul. The Hebrew for 'spirit' denotes also 'air,' 'anger,' 'folly.' Even the 'breath of life,' breathed by God into the face of man, is applied equally to animals. However, in Genesis ii. it implies at least 'life,' and there is a significance in the different turn of speech with regard to the creation of man and of the animals, also as regards that of the human body and its vital principle. Of the animals it is said simply that God 'formed (them) out of the ground' (Genesis ii. 19); but 'God created man to His own image'—the phrase

<sup>1</sup> *Theology of the Old Testament*, p. 83.



is emphasized: 'to the image of God He created him' (Genesis i. 27). Man's body is 'formed . . . of the slime of the earth,' but then 'the Lord God . . . breathed into his face the breath of life, and man became a living soul' (Genesis ii. 7). Moreover, man is free, as appears from the story of the Fall, and explicitly from God's words to Cain (Genesis iv. 7) and Moses' address to the people (Deuteronomy xxvi. 17, xxx. 11). As for immortality, it is impossible to conceive of God speaking of Himself as the God of Abraham, Isaac and Jacob, if He did not imply that they were after this life to share in His glory. This is Our Lord's own interpretation of the words (Matthew xxii. 31), though it may be that, speaking to people of more developed ideas, He did not intend to teach that the patriarchs understood the full significance of the phrase. Again, when the writer of the Epistle to the Hebrews (c. 11) interprets the assertion of the patriarchs that they are pilgrims on earth as implying a belief in immortality, this bears out the natural meaning one would attach to their words. It is admitted, moreover, by non-Catholic writers that Sheol is referred to by the phrase to 'go to his fathers,' to 'be gathered to his people,' and Jacob expressly speaks of going down to Sheol. Now, the expression cannot have always meant for the writer, at whatever age one supposes he wrote, a place of gloom and, at best, half-conscious existence, for he puts it into the mouth of God in the form of a blessing (Genesis xv. 15).

To keep alive their ideas of God and whatever notion they had of the next world, the Israelites of patriarchal times, lately snatched from polytheism, had abundant need of faith. Of this virtue Abraham is a conspicuous example: 'Abraham believed God, and it was reputed to him unto justice' (Genesis xv. 6). When it seemed impossible for him to have a son, he believed the promise of God. Nevertheless, the faith even of this great patriarch and his wife seems not to have been entirely perfect, as is indicated by the smile of incredulity with which, at first, both of them received the promise (Genesis xvii. 17, xviii. 10, 12, 13, 15).

Yet there can be no doubt that Abraham's life, in general, as portrayed in Genesis and as viewed by St. Paul (Romans iv. 1-5; Galatians iii. 6; cf. Hebrews xi.) and St. James (ii. 21), was conspicuously one of great faith. It was this faith that produced the unbounde

confidence in God shown in his beautifully childlike prayer for the people of Sodom (Genesis xviii. 22). Again, supreme heroism is demanded of him. He goes immediately, 'rising up in the night,' into 'the land of vision,' and is prevented from sacrificing his only son by divine intervention alone (Genesis xxii.). This faith of the father of the Hebrews is depicted in deep relief. 'By My Own Self have I sworn, saith the Lord, because thou hast done this thing and hast not spared thy only-begotten son for My sake; I will bless thee, and will multiply thy seed as the stars of heaven, and as the sand that is by the sea-shore: thy seed shall possess the gates of their enemies. And in thy seed shall all the nations of the earth be blessed, because thou hast obeyed My voice' (Genesis xxii. 16).

There is certainly more reason to find fault with Moses in regard to his want of faith (cf. Exodus iv. 14, v. 22-3, xix. 23; Numbers xi. 23, xx. 12); but surely even he, in spite of relapses, must have been held to his hard task by faith. It was with danger to his life and after many trials that he liberated the Israelites from the grip of Pharaoh and conducted this rebellious people for forty years across the desert to the Promised Land. The tendency of the people to relapse is shown only too clearly in the terrible threats of Leviticus xxvi. and Deuteronomy xxviii.; but the faith of their leaders, as shown in the eleventh chapter of the Epistle to the Hebrews, must be pondered as a comment.

The natural inclination to evil finds its explanation in the story of the Fall, which must now be briefly considered. That its purpose is nothing more than explanation by myth of the origin of sin and death cannot be accepted. The writer, under the guidance of inspiration, has the deliberate intention of recording the earliest historical events.

Although, on the admission of the critics, the parallel with other traditions does not extend to detail, yet so striking is the general similarity, e.g., in the palm of Eridu or the Soma plant that conferred immortality, Ea's injunction to Adapa not to partake of the food and water of life, Azi-Dahaka, which 'sprang like a snake out of the sky down to the earth to blight (Ahuramazda's) creation,' and the winged guardians of the Assyrian sacred palm, that it seems likely there is a common meeting-point in the stories. Similar parallels are found with the Flood-



story in the various Babylonian records collected by Rogers.<sup>1</sup> The various pagan legends may be conceived as imperfect traditions, of a like nature to those which Abraham must have brought with him from Mesopotamia, but from which in course of time, and especially by Moses, under divine guidance, the true was sifted from the false. Similar imperfect traditions seem to underlie beliefs all over the world, such as are so interestingly depicted—though with different intent—by Sir J. Fraser in his recent *Folk-lore in the Old Testament*.

Even so, the tree of knowledge, the speaking serpent, the death-penalty and instantaneous awakening to a sense of shame attaching to the eating of a fruit, require reverent examination from the point of view of reason. The story of the Fall is not, as has been often maintained, a myth intended to solve problems concerned with daily life, problems, e.g., of 'the darker side of life in an agricultural state of society,'<sup>2</sup> the hard toil of the husbandman, the birth-pangs of mothers and the subjection of woman to man; or, again, of the sense of shame which accompanies adolescence, the use of clothing, or the instinctive antipathy to serpents. It is a divinely-inspired document, intended to convey, as regards its essential doctrine, the history of the first human beings, their original state of immortality and innocence, and their subsequent fall into sin and liability to death.

The idea that Adam and Eve were mere children is contrary to the witness of the narrative, yet, their merely human knowledge being so slight, there should be no difficulty in understanding God to have dealt with this primitive pair as human parents deal with their children. The forbidding of a definite fruit is just such a command as one would have expected, if man's obedience was to be put to the test. As for the trees of knowledge and of life, there is nothing repugnant in God's attaching, by virtue of a quasi-sacramental power, the acquisition of moral knowledge or the physical gift of immortality to definite trees. But God could not possibly wish to debar our first parents from speculative knowledge of right and wrong; in fact, His mere command supposes them already to possess it. Was it, then, what has been called

<sup>1</sup> *Cuneiform Parallels to the Old Testament*, p. 103; cf. Langdon's *Sumerian Epic of Paradise*.

<sup>2</sup> Dr. Skinner in *The International Critical Commentary*.

'experimental' knowledge, in other words, the realization of what it is to sin? On this supposition, how could the tempter have persuaded the woman that such knowledge was to make her like to God? How, again, was she so eager to acquire this knowledge, she hitherto sinless? For the bait of the tempter is precisely the thought of the desirability of the knowledge. On this and other points of the Genesis narrative some very useful suggestions have been made by Canon van Hoonacker, of Louvain University, in the *Expositor* (November, 1918).

A last word with regard to the serpent. In view of the curse pronounced (Genesis iii. 14, 15), the 'subtle' creature must have been understood by the sacred writer as representing some spiritual agency provoking to evil. The curse need indicate no more than that the furtive, uncanny procedure of the serpent will henceforth image the cunning of the malevolent spirit, just as the rainbow stands for the sure symbol of the faithful covenant of God (Genesis ix. 3; cf. Apocalypse x. 1-7).

The subject of the Fall leads to discussion of the promised Redeemer. In the protevangelium (Genesis iii. 15) there is symbolized a continual fight between man and the spirit of evil. From the context it is legitimately inferred that the victory shall be with man. The seed of the woman shall indeed be wounded, but not mortally, in the spiritual struggle; the seed of the serpent shall be crushed and beaten beyond remedy. For a full exposition of the passage the reader may be referred to *Christ in Type and Prophecy*, by Father Maas, S.J., Here it will suffice to point out that the two expressions 'thy seed,' 'her seed,' being parallel, must both be taken either individually or collectively, and that the latter interpretation seems more correct. From the earliest days of the Church both views have been represented, but it has always been agreed that the primary reference in 'her seed' is to the future Redeemer. However, the exegesis best supported by the original text, parallel Scriptural usage and tradition takes the phrase in a collective sense: mankind in future shall, through the victory of the implicitly mentioned individual Redeemer, crush the power of evil. The limitation of this collective sense to those only who actually turn to profit the fruits of the Redeemer's victory, is exacted by the context and is paralleled in other places of Scripture



(Genesis xxi. 12, Romans ix. 7). Besides this text there is a series of passages beginning with the call of Abraham, which rouses the hope of the patriarchs in a spiritual blessing, through them, on all the nations of the earth.<sup>1</sup> This series is at length gathered up on the death of the last of the patriarchs into a fairly definite prediction of the Messianic privilege of the house of Judah (Genesis xlix. 8-12). There has been much discussion round this text, and justice cannot be fully done to it here. Suffice it to say that the interpretation 'the Sceptre shall not be taken away from Judah . . . till He come Whose it is,' referring to the Messiah, has the best documentary support and gives the best sense. The application to David, by those who admit this reading as at least possible, cannot stand, because the kingdom had not, strictly speaking, come to Judah till David's time. Nor is it a personal sceptre that is really in question, but the sceptre of *Judah*, that tribal supremacy and national autonomy which was never really lost till the land came under the sway of the Herods, and finally under direct Roman government, viz., in the life-time of Our Lord.

Something must now be said of the morality depicted in these Books. Non-Catholics find great difficulty in accepting the Decalogue as Mosaic, precisely because of its elevated moral tone. Accordingly, Kautzsch<sup>2</sup> is forced, in order to defend the Mosaic authorship, to explain it as a mere promulgation of rights towards God and neighbour, bereft of all ethical motive. But its high ideal is explained by its divine origin. That it is not in harmony with much of the conduct of the Israelites is only to be expected. Our Lord defended the Mosaic permission of divorce on the ground of the 'hardness of heart' of the people. On the other hand, much of what is done by even the chosen ones of God does not necessarily receive His sanction. As regards polygamy, perhaps the same may be said as above of divorce. Considering the primitive nature of the people it may be that a lower standard was tolerated in them in the earlier stages of their history. God did not bestow His grace with such fullness as in later times (see John i. 17, Romans vii., 1 Corinthians). Whether Jacob's conduct in depriving Esau of his father's blessing is an instance of such a lower standard of morality is not clear.

<sup>1</sup> Cf. Maas, l.c.

<sup>2</sup> Hastings' *Dictionary of the Bible*.

St. Augustine's solution, viz., that he acted and spoke merely figuratively, involves, as Father Hetzenauer shows,<sup>1</sup> considerable difficulties. Possibly he himself abandoned it afterwards. In his *Retractations* (lib. i. c. 27) he says he did not wish the *De Mendacio* to be published, and 'much less' the *Contra Mendacium*, which deals with Jacob more fully. It is, however, possible that his reluctance to publish was due to the style of the books. In view of the cynical treatment Jacob has received at the hands of non-Catholic writers, it may be excusable to enter into this question a little more fully than otherwise would be fitting in so synoptic an essay as this.

It must be admitted that Jacob's fear of his father's curse (Genesis xxvii. 12) and Rebecca's appreciation of that fear, as well as Isaac's censure of his son's conduct as deceitful (Genesis xxvii. 35) seem at first sight to settle the question entirely against Jacob. Cornelius a Lapide, following Origen, Cassian, and St. John Chrysostom, speaks in no dubious terms of an objective lie, but inclines with them to defend the patriarch's good faith on account of God's prediction (Genesis xxv. 23) that the 'elder shall serve the younger,' and because Esau sold his right to the blessing when he made away his birthright. Prediction of itself, it is true, is not sanction, but surely Jacob actually obtained God's blessing through Isaac when he acquired possession of the birthright, though the means taken was objectively wrong. Hence, the prediction is probably a definite promise. The above explanation, then, might be developed something like this. To Rebecca, and eventually to Jacob, the stratagem involved nothing wrong, but a fulfilment in the only way they saw possible of God's prediction. God would not, on this explanation, have allowed the objective wrong to stand in the way of the blessing He has ordained should be Jacob's. That Isaac afterwards called the conduct deceitful was due to his ignorance of the contract sealed by the oath of Esau. To ensure the blessing, by means which to mother and son may have appeared blameless—since 'I am Esau' might mean 'I have Esau's rights,' and 'I am he whom God predicted should supplant Esau'—would be free from guilt.

Against this view it must be noted as strange that

<sup>1</sup> For a full treatment of the difficulties cf. Hetzenauer, *Genesis*, pp. 402-3.



after obtaining the blessing it would be expected that Jacob should justify himself, whereas, throughout, Jacob is filled with fear and trembling, while Isaac's views on the morality of the act seem to be given as the last word. Further, it supposes rather an advanced idea of mental restriction. Again, can it be conceived that God would allow objective wrong, in the case of a patriarch, to pass unreprieved? He did not so deal with Pharaoh, as will be pointed out later. Isaac's rebuke seems clearly enough to be delivered to one who was conscious of wrong.

Hence, it seems truer to admit even formal wrong on Jacob's part. If this view be adopted, it must be noted that God cannot have sanctioned his conduct at all. The blessing received by the future patriarch would have been ordained for him, but in some other way and, being obtained by fraud, would not be an unmixed blessing. A Lapidé, at most, admits a venial sin, because Jacob's lie to obtain the final ratification by Isaac was directed merely to securing his own rights made over by Esau. Father Hetzenauer, following this view, points out that Rebecca was punished by being compelled to send away her son to Mesopotamia and live separated from him for twenty years, while Jacob testified to his own afflictions in Mesopotamia and Chanaan: 'The days of my pilgrimage are a hundred and thirty years, few and evil' (Genesis xlvii. 9).

Jacob's stratagem against Laban (Genesis xxx. 31) is, however, definitely approved of by God (Genesis xxxi. 9, 12), and it must be remembered that the patriarch had himself been grievously deceived by Laban as regards his terms of service for Rachel and also the wages of his labour. The justification of his act may, therefore, be said to consist in legitimate recuperation of his due.

As to Abraham's readiness to sacrifice his son, it is praiseworthy, for he recognized God's right over his son's life. He spoke the truth, too, in calling his wife his sister in order to protect his own life. She was his step-sister. What is said of Pharaoh on this occasion constitutes a difficulty (Genesis xii. 17): 'But the Lord scourged Pharaoh and his house with most grievous stripes for Sarai, Abram's wife.' It must be borne in mind, nevertheless, that God often sends affliction not merely as punishment, but to teach men lessons they would not otherwise learn. So here, it may be, that God wished to

impress on Pharaoh that his action was objectively wrong, or that Abraham enjoyed a very special divine protection, and that he and his must be treated with profound respect. The scourge may have been the only way such a one as Pharaoh could be taught.

Lastly, a few words must be said on the Israelitic cult, as found in the Pentateuch. The striking feature about it is that there is no gradual development from the simple sacrifices of the patriarchs at the scenes of Yahweh's apparitions, by some well, or under a memorable tree, into the fuller worship of Mosaic times. Outside the Church, the documentary hypothesis is held to explain the passages which deal with an advanced state of worship as coming from a later hand. But with the exodus began a very distinct epoch, and this was inaugurated by a sudden burst of glory in the numerous and detailed divine ordinances: the sanctification of the people, especially of the first-born, duties of priests and levites, confession, the law of the Nazarites, special feasts, and, above all, the gorgeous ritual of the Tabernacle of the Testimony. Precious woods and stones, gold and silver of the purest, vestments and draperies of the richest dye and embroidery, and all the cunning of the goldsmith, jeweller, and perfumer now are pressed into the service of Yahweh, who is to lead them to the conquest of the Promised Land. Sacrifice is still, for a time, permitted 'in every place where the memory of (God's) name shall be' (Exodus xx. 24), but the ark is the pledge of future unity of worship in Jerusalem, and the cult centres specially around this sacred receptacle of the 'testimony' and peculiar abode of Yahweh. The centralization of worship, however, is not yet complete. Leviticus xvii. 3-4, is only a temporary injunction necessitated by the danger of idolatry in the wilderness, while Deuteronomy xii. 13, 14 refers to the future, as is recognized in 3 Kings iii. 2, for as yet 'there was no Temple built to the name of the Lord.'

GILBERT BINNS, S.J.



# THE NEED OF SCIENTIFIC TRAINING IN IRELAND

BY REV. H. V. GILL, S.J., M.A., MSc.

IN their attitude towards science we may divide men into two classes : those who suppose that in science is to be found the remedy for every evil, and those who ignore or are ignorant of every thing scientific. There is, no doubt, a small class who appreciate science at its true value. We all pride ourselves on belonging to this last class ! It must be confessed that at the present time the ignorance of the every-day facts of science amongst those who are belonging to what, for want of a better name, we call the educated classes, is profound. We talk glibly about electricity, radium, wireless telegraphy, and the rest, but how very few have the least idea as to what these terms mean ! The humble electric bell is a profound mystery to the vast majority of those who so often use it.

The extraordinary thing about this phenomenon is that, of late years, both more time and more money has been devoted to the teaching of science in the schools. Yet, if we compare the scientific interest and knowledge of those belonging to the generation which is passed with that of the present generation, we find that the standard of the present day is far below what it was thirty years ago. There would be no difficulty in explaining the causes of this state of things, which are, besides, evident to everyone. No doubt, recent changes may effect some improvement, but the whole present system of scientific teaching in the secondary schools needs overhauling. It is not part of the purpose of these pages to suggest how things could be improved. A long road has to be travelled before the need of change is recognized. It will first be necessary to arouse public interest in the value of science, and to a sense of dissatisfaction at the present condition of things. No one will think of a remedy until he begins to suspect that he is ill.

We may look on scientific training from various aspects. It will be sufficient for our purposes to divide science into general knowledge, specialized training, and research work. It is the duty of the State to provide each of her citizens with a sound general knowledge of the ordinary forces of nature, for nature has been so lavishly furnished with her manifold sources of energy for man's use and benefit. Indeed, it seems to be an act not only of practical stupidity, but of ingratitude to God to neglect and despise His gifts. Everyone should have a general knowledge as to how he can call on nature's help in the different circumstances in which he may find himself placed. The value of this general scientific knowledge and esteem for scientific methods is of the greatest importance for the nation. If our law-makers had a grasp of the facts of scientific progress, or the possibilities afforded by the application of modern discovery, how much more could they not do for the prosperity of the country! They would realize the importance of encouraging research work, even though they themselves had not direct knowledge of the more abstruse aspects of the question. They would sympathize with scientific methods, and would realize that one Pasteur in a hundred years would more than pay for the outlay involved. The fundamentals of this general knowledge should be distinct from University work, and should be supplied in the secondary schools. Every student leaving school should have a general knowledge of the great divisions of science.

The importance of specialized scientific training is too evident to need much comment. This is evidently the great work of Universities and similar bodies. Medical doctors, engineers, agriculturalists are essential to the life of the nation, and here on the whole there is not much ground for complaint. In this case the State recognizes the facts, because they touch the interests of the individual legislators and electors. But even here the need is not sufficiently realized. Every large and progressive manufactory should employ one or more specialists, who would apply scientific methods to the testing and improvement of materials and methods. In every department there is ample scope for improvement. This last need is intimately connected with research work.

It is when we come to consider the highest aims of science, which is to find out and study nature's secrets,



that we meet with the greatest display of ignorance and apathy towards the true scientific spirit. How often is a scientific worker shocked by being asked, 'What is the use of it?' Such a question shows the absence of any true scientific spirit. The scientist does not consider at all the immediate practical utility of his work. Crookes, when he spent his time at what many called beautiful but useless experiments with vacuum tubes, certainly never dreamt of the discovery of X-rays and the great industry which was to spring up, or of the enormous utility they were to prove in many directions. Faraday most probably did not realize the possibilities of his earlier discoveries. The great discoveries generally lay for many years without any practical application, until later on some other discovery opened up a field for their utilization. It may be generally stated that no discovery is without its use in helping to build up some theory which eventually works out for the public good. It is only during a tramway strike, or when we break a limb, that we really appreciate the use of science. It is important that all who take interest in the progress of the nation and in the need of assisting humanity in its struggle should, at least, sympathize with and appreciate the difficulties of research work. The day is long gone when research work could be looked on as a hobby, or as a rest from other occupations. It is a tedious and exacting labour, which demands the freshest and best energy. Scientific methods have now reached such a stage that future progress is, in general, to be hoped for in obscure regions which formerly seemed to mark the limits of attainable knowledge. It may be laid down as true that the beginnings of modern research work presuppose a long and minute training in scientific theories and methods. It is only by aid of the most delicate instruments and by the use of a considerable amount of energy that it is possible to hope for results. All this puts research work on a serious scale out of the reach of a private individual. A comparatively simple investigation may involve the use of instruments which cost hundreds of pounds, and require the use of various materials and of gas and electric energy which come to a considerable amount.

Again, from the point of view of immediate results, research work is a very slow business. In places like research laboratories, where young and energetic men have

little else to do besides research, it is considered a satisfactory year's work when there is one investigation to record. Often more than a year is required for one result. Even then there may be little to show for the time and money spent. The result of a year's work might often be put on a sheet of note-paper. As a rule, such results do not refer to discoveries as ordinarily understood, but may simply record a relation between two quantities. The answer may be a negative one, or may consist in a curve, which conveys meaning only to a few who may be familiar with the precise point under examination. To the superficial all this may seem waste of time and energy, and, above all, of money. But it is not so. As has been pointed out, all these facts are helping to solve some problem on which may ultimately depend some great service to humanity.

From these considerations it must be evident that research work, looked at from the point of view of immediate profit, is an unprofitable undertaking. No doubt much valuable work has been done by professors and others who have a certain amount of time and apparatus at their disposal, and in many Universities foundations exist which go towards the support of students engaged on such work. But this provision is not sufficient. A government fully alive to the importance of scientific progress should find some means of making research work worth undertaking. It should be on the footing of any other learned profession, and those who are willing to devote their lives to the work should be able to count on the conditions of life which their position in society entitles them to. The State might justly claim some guarantee that the work thus encouraged is really of scientific value.

The history of science teems with examples of the close connexion between what we may call theoretical science and practical utility. Possibly the classical example of the connexion between the theoretical and the practical is to be found in the case of Pasteur. It may surprise those who are not familiar with the life of this great benefactor of the human race to learn that his reputation as a scientist was established long before he undertook those researches which are so closely connected with his name. But for his devotion to theoretical science it is clear that he would not have accomplished the work he did. Pasteur's first original investigations were in a somewhat out-of-the-way corner



of physics. They were concerned with the effects produced when polarized light passes through certain crystals. One of the substances involved was closely connected with the products of fermentation. In his search for certain materials he travelled long distances, and incidentally became familiar with much that was connected with the processes of fermentation. But it is evident that his great interest was 'crystals.' Later on, when he was professor at Lille, the brewing trade was disturbed by some faulty fermentations. This aroused his former interest. He examined the subject with his usual energy, and soon arrived at the conclusion that small living beings were involved in such processes. From this he became engaged in a controversy on the subject of 'spontaneous generation,' for which he sought in vain for many years.

He grasped the great truth that life and putrefaction come from living beings. He began to see minute living germs everywhere, and realized that they were responsible for many diseases. The long and patient study of these matters resulted in the wonderful discoveries which have done so much for mankind, and which, it has been calculated, more than paid off the indemnity claimed by the Prussians in the first Franco-Prussian war. The important point to be noted here is that these results were the logical outcome of studies which were undertaken without any thought of practical utility.

No doubt, some of Faraday's practically-minded friends smiled at his experiments in which he caused wires and magnets and electric currents to perform certain manoeuvres. But one has only to look round to see the part his work has played in the development of modern life. Unless Faraday or some one else had spent his time at these silly experiments the practical man would never have had a dynamo, or an electric motor, or an electric tram!

Mendel, again, is an example of the ways of science. Between 1866 and 1869 he carried out experiments on the hybridization of peas and other plants in the garden of his abbey, at Brünn. He was himself abbot, and was, no doubt, not assailed by open criticism, but we may possibly imagine that some of his more matter-of-fact brethren might have preferred to see the abbot at his prayers, or 'doing something useful'! His results were published in the pages of a local scientific journal, and were not recognized by the world at large until 1900. Since their

recognition extraordinary progress has been made in the methods of breeding plants and animals. In 1910, a white marble statue of Mendel was erected to his memory at Brünn, and now the name of Mendel is known throughout the world. His circumstances enabled him to devote much time and thought to his experiments. The State should be prepared to help budding Mendels, who have possibly the brains of the master, but whose fight for their daily bread and the support of a family occupy all their time and energy.

As has been suggested, one of the mistakes made by those who control the expenditure of public money is due to their lack of a true scientific spirit. In the popular imagination, a man who constructs an ingenious machine is a greater scientist than he who devotes his time to abstract studies which only a very few can understand. Important as is Technical education, we must clearly distinguish it from scientific training in the true sense of the word. The one tends towards training the intellect so as to enable it to follow intricate reasonings to their logical beginnings or consequences. The other aims at producing workers whose hands and eyes have been so perfectly trained that they can translate into steel and copper the conclusions arrived at through theoretical science. Nothing can be more important to the progress of manufacture than good technical training. We have excellent schools of technical instruction. Are they utilized fully? The essential thing is that boys should begin their training at an early age. One of the results of modern school management is that boys who would be fitted for positions involving a practical technical training are kept at school until they are too old to benefit as they should from practical instruction. No doubt, technical and scientific training overlap to some extent; that is to the advantage of both, but they are essentially distinct. One of the qualities of science is that it is international. No country has the monopoly of scientific discovery. As time goes on the interconnexion of the different branches of knowledge becomes closer, and, like nature itself, science is becoming universal. Thus there are openings for scientists in every country of the world. It is sometimes regretted that many of our best men leave home and devote their energy to the development of science in some distant country. Much of this is due to the fact that in these islands we are not yet



convinced of the advantages of scientific methods over the old rule of thumb. When the people think it worth while to employ and pay expert scientists according to the importance of their work, and when political conditions allow us to adopt a more rational method of scientific training, there will be more openings for good students. But it is not wholly a matter of regret that many educated Irishmen should go abroad. The history of Ireland shows that there are other ways of serving one's country besides staying at home. In fact, most of those who have made the name of Ireland what it is in the world to-day have done their best work away from home. Whatever may be said of the causes which forced so many Irishmen to leave their native land, the fact remains that the greatest religious and intellectual force in the English-speaking world, including the United States, has been the Irish race. Nor, even from a financial point of view, is this export of talent a loss to the country, for each Irishman, if he has a spark of gratitude and patriotism, becomes abroad a kind of commercial traveller who is always anxious to spread around the produce of his country.

The departments in which there is scope for scientific research are many and varied. In the matter of agriculture alone, which is of so immense importance for this country, there are many directions in which research work is needed. Reference has been made to the importance of applying scientific principles to the breeding of plants and animals. By this means crops can be developed which will suit the peculiarities of our climate, and the economic production of suitable feeding stuffs may be improved. There is the interesting question of the application of high-tension electric discharges as a stimulant for plant cultivation, to be thoroughly tested and regulated. The experiments which have already been undertaken in this direction afford encouragement. All these questions have to be studied by exact methods, whether in laboratories or in the open fields. Chemistry is the basis of every kind of manufacture. Brewing and kindred industries need the assistance of specialists. The development of our mines and the disposal of what are often called 'waste products' call for the highest class of scientific treatment. The economic distribution of electric power is a matter which is urgent. For example, there is a fortune awaiting the man who establishes an economical method of drying turf. No

doubt, all these depend ultimately on the existence of the benevolent government, for which we have been waiting so long. Let us, at all events, be ready to respond when that day comes. Forestry, again, is a subject which is capable of highly scientific treatment.

Research work is a laborious and often discouraging occupation. The Wise Man has well said that 'research is a *pessima occupatio*!' <sup>1</sup> and yet how necessary. It is evidently impossible that a person actively engaged in this work should be able to support himself unless the work itself, and not its immediate results, are paid for. This can only be done by the State or by some large and wealthy body, which can afford to sink capital in such investigations for some time before practical results can be obtained. The first step is to arouse the interest of the country as a whole in scientific processes. This could be helped much by instructive popular lectures and by popular scientific publications, which, of late years, in spite of the supposed advance of scientific interest, have almost disappeared. How few articles, for example, of scientific interest have appeared in our Irish periodicals during the last few years. Politics and the great question of social reform naturally absorb most of our energies; but it is a short-sighted policy to neglect the claims of science. As time goes on efficiency in every department of life depends more and more on scientific methods, and when all is said and done all social reconstruction depends on and implies efficiency and productive industry. In the modern world there is no hope of competing with other countries unless we adopt the modern and up-to-date methods which result from and presuppose the applications of the discoveries of science to the every-day problems of life.

Enough has been said to point out the importance of scientific training. Unfortunately, there is a tendency to discuss the relative merits of classics and science. There is no reason why that discussion should arise. There is not the slightest need to devote more time to science and less to classics in our secondary schools. Classics are necessary to cultivate that knowledge of men and an appreciation of the beauties of human thought which do so much

<sup>1</sup> 'Et proposui in animo meo quaerere et investigare sapienter de omnibus quae fiunt sub sole. Hanc occupationem pessimam dedit Deus filiis hominum, ut occuparentur in ea' (Eccles. i. 13).



to educate and train the mind. There is no greater bore than the person who is ignorant of literature, even though he be an authority on some scientific subject. Nor is there a more helpless individual in regard to the progress of modern life than a mere reader of books. Human nature is many-sided, and requires for its proper education a little of many things. The ideal training is that which affords ample provision for every branch of learning which is suited for human nature, and which gives those who are specially gifted in some special direction opportunities of developing the talent which God has given them. Let us aim at securing such a system.

H. V. GILL, S.J.

## THE POPE'S ISLE

BY A NAVAL CHAPLAIN

It is interesting to find here and there amidst the prevailing Orthodoxy of the Grecian Archipelago, certain centres, or, if you like, oases, where the purer faith of the Latin Church has been preserved throughout the vicissitudes of many centuries.

As is well known, the Greek Church is largely dependent for its existence upon State support, notwithstanding which, he would be a bold man who dared to assert that the internal condition of that Church shows any considerable sign of vigour or even vitality.

For one thing, the condition of the clergy is highly unsatisfactory, with the inevitable reaction upon the Greek laity. Not only is the education of the clergy gravely neglected, but frequently it seems that clerical candidates are not even submitted to an intellectual test, with the consequence that to-day numbers of the Greek priests are both unlearned and unintelligent. In the course of several years' experience amongst Greeks I have only once met a priest who was both highly-cultured and intelligent, though I confess that I have heard tell of others here and there.

At Athens the teachers of the Greek clerics in training are laymen; in the islands the clergy are notoriously ignorant and uncultured, sometimes worse than that. And yet amongst the country people there is undoubtedly true devotion, though with a terrible admixture of superstition, whilst in certain isolated districts the peasants lead an almost patriarchal life of simplicity. But in the towns is best seen the very slight hold religion has upon the ordinary Greek citizen: commerce is his religion and he has little time for else. On feast-days there is considerable ringing of bells, much running to church and burning of candles, a good concourse assembles;



but it is easy to see that these are social functions rather than acts of devotion. I once watched a crowd of Good Friday worshippers in church and came away profoundly disgusted. In spite of these things the people are strict in their fastings, and on the whole strict in their moral relations; an almost chronic dishonesty, however, must be noted which, some one has said, constitutes the original sin of the Greeks.

The tragedy of the situation lies in this—that the only religious guidance they receive is from the hands of an effete and decadent Church, and as things are at present there seems little hope of a regeneration.

There is a tendency amongst students of the Greek liturgy to suppose that the venerable Church of Basil, Chrysostom and Gregory still retains a fair portion of its ancient dignity. Alas, for such pious suppositions; those who have lived for any considerable length of time amongst the Greeks will confirm what I maintain, namely, that the Greek Church to-day is corrupt and tottering to its ruin. It must be understood that I am here speaking of the Greek Orthodox religion as it is found in Greece, the islands of the Archipelago and the cities that border the Aegean Sea; of the Russian Church I cannot speak, as I know little or nothing about it. Meanwhile, the building of churches goes on apace, and a certain amount of money is lavished upon ecclesiastical institutions; but the terrible lack of an inner spiritual life is the surest indication that the days of the Greek Church are numbered, and politics can only postpone the ultimate catastrophe.

It is refreshing then to find in the very midst of such a state of affairs, Catholic centres which have maintained their vigour in spite of the fierce politico-religious propaganda around them. One such spot is Syra, another is Naxos, and yet another Tinos. It is the first named that gives its title to my paper: and here it was that I found myself one day whilst on a voyage in search of souls.

The Island of Syra is situated in the centre of that group known as the Cyclades, and in size is rather less than half the area of the Isle of Man; but though smaller than some of its neighbours, it is by far the most important of that group, owing to its position and the possession of an excellent harbour. As a commercial port the glory of Syra has somewhat waned; it was at its best about fifty years ago, prior to the development as a port of its

rival, the Piraeus. To-day, as seen from the sea, the town, or rather the twin towns, still present a distinctly prosperous appearance.

Until the struggle for Greek Independence the old town, which stands a little back from the sea, alone existed, and the port was quite undeveloped. Crowning this ancient town stood the Catholic Cathedral of St. George; for the population of this island was Catholic and had been so ever since the thirteenth century, notwithstanding the defection of its neighbours and the heel of the Turk. It seems to have enjoyed a very peculiar immunity from the time when the Venetians possessed it, and thence it earned the proud title of the Pope's Island. But in 1821, when the Greeks began their effort to throw over the Turkish yoke, the wrath of the infidel was vented upon the unfortunate Greeks on the mainland and in the eastern isles of the Archipelago, and amongst others who suffered severely were the people of Chios. Hence an influx of Chiote refugees bore down upon the hitherto exclusive Syra and disturbed the placid course of its existence. With the refugees came in 'Orthodoxy,' and with them came, too, the spirit of commercial enterprise. Within a few years a new town sprang up beside the old town and whilst the latter retained the name of Syra, the new one, rising from the water's edge, was known as Hermopolis. Both towns stand upon conical-shaped hills, the Catholic terminating in the aforesaid Cathedral of St. George, the fourth of its kind since the thirteenth century, whereas the modern Greek church of the Resurrection crowns the hill of Hermopolis.

The houses form a background of white<sup>1</sup> picked out here and there by the blue dome of a church or the red tiles of some building; with a blazing sun upon it and an Eastern sky above, Syra as you enter the harbour is a flash of beauty. The port on the day of my arrival is full of shipping; the quays bustle with traffic, and only the usual Eastern odours somewhat mar this pearl of the Cyclades.

Like a good Christian, who should take his religion with a certain amount of discomfort, I dutifully climbed the

<sup>1</sup> The marble from ancient Delos has been largely drawn upon for the building of Syra. This is common: modern Greece is not ungrateful to its classical ancestors.



eight hundred steps that lead from the splendid Platea (*Anglicè* Square), where the old and the new towns meet, unto the episcopal residence which stands beside the Catholic Cathedral, and there I was rewarded for my pains by recognizing in his Lordship a priest of my acquaintance whom I had not seen for eighteen years. From him I gleaned many interesting facts about the history of Syra, ancient and modern; nor is his Lordship without a good vein of humour, as, for instance, when he commented on the convenience of a Bishop dwelling at the top of a steep flight of steps, which a man must think twice about attempting to mount. From the terrace that forms the porch of his Cathedral one has a magnificent view of the port below and of the islands beyond. Tinos stands to the north, Mykoni and the sacred isle of Delos, the ancient sanctuary of Apollo, stand opposite in the distance, and Naxos and Paros can be descried to the south. The Bishop is the Ordinary both of Syra and of the neighbouring island of Milo, where there are also Catholic inhabitants. In the island of Syra he has about thirty priests, nearly all natives, who serve nine parishes, of which six are country districts and three are urban parishes. Hermopolis has one parish church, that of the Annunciation; Syra itself has the Cathedral and another parish church, situated in the lower part of the town. But including convents and religious houses there are in the two towns alone a good dozen churches or chapels. Within a stone's throw of the Cathedral itself are six or seven chapels, whilst throughout the island there are altogether over one hundred chapels wherein Mass is said at least once a year. It is delightful, in fact, to see all over the country districts evidence of the piety of old Syra. In former days it was customary for the richer Catholics to build upon their property a small chapel where the Holy Sacrifice could be celebrated, and these shrines exist to this day, not torn from their right use, but duly sanctified each year by the celebration of foundation Masses. Well was the title of the Pope's Island deserved, and if to-day the Catholic population numbers only a few thousand, they are the worthy descendants of a noble ancestry.

Descending from the Cathedral, twisting and turning, now catching a glimpse of the blue sea below, now shut in by houses that almost meet across the narrow roadway, one presently passes under what is partly archway and

partly tunnel; and here (just like them), one comes across the Capuchins, who have built themselves in somehow, amidst this tangle of houses.<sup>1</sup>

The convent is thoroughly Franciscan in style, and can accommodate six friars; a picturesque little garden wherein grow fruit and flowers, overlooks the harbour, and by some wonderful miracle it is so placed that it is not overlooked by inquisitive neighbours. The church, which is over two hundred and fifty years old, is dedicated to St. John the Baptist, and the interior is warm and devotional.<sup>2</sup> Here, because I had not heard the notes of an organ for a long time, we spent a delightful half-hour, singing various litanies and hymns; my two friars, who to-day constitute the entire community of this house, were possessed of rich and powerful voices, and with diapason out we made, I think, a joyous song such as would have cheered the soul of the Poverello himself.

Leaving this little paradise and continuing the descent of the little hill one presently comes across the French hospital managed by the Sisters of Charity, an exceedingly well-kept establishment, with a charming view of the Aegean. Here I spent half-an-hour chatting with the patients, who, as usual in these parts, comprised several nationalities and belonged to various religions.

One afternoon I drove out to a distant seaside village known as Della Grazia, where the wealthy merchants of Syra have built themselves fine villas. But there is poverty too at Della Grazia, as I found when I visited the little Catholic school attached to the church; for here a single poverty-stricken Sister presided over a still poorer group of little pupils, in a school-room that would have made a London Board-school Inspector's flesh creep. Still I would not hesitate to prefer that simple country school-room, with its floor of mother-earth, to the best appointed board-school of London with all its comfortable ugliness.

On the return journey we stopped at a wayside shrine of great antiquity. This was the Church of Our Lady of Mercy, where there is a miraculous picture, held in reverence not only by Catholics but also by the Greeks, who frequently

<sup>1</sup> The earliest document in the Archives of this foundation is dated 1632; the protection of the French King Louis XIII is accorded in 1638. The 'Grey Cardinal,' the famous Père Joseph, is responsible for this as for several other Capuchin foundations in the Near East.

<sup>2</sup> There is still extant the document in which the Bishop hands over the church to the Capuchins in 1659.



make offerings toward its upkeep. The original ancient chapel now forms the sacristy; the present church was built to accommodate the increasing number of pilgrims who flocked to this holy place. The picture itself is very ancient and is of Byzantine art—a fact which causes many of the 'Orthodox' to claim that the picture should really belong to them. Curiously enough I stumbled across a case a few weeks later, where the shoe was on the other foot. In visiting a rather pretentious Greek church in one of the northern islands of the Aegean, I noticed that the somewhat flowery decorations suggested an Italian hand; particularly the face of the Christ painted on one of the crosses was distinctly suggestive of Italian art. I slyly drew the attention of the 'Pappas' who was showing me round to this fact, and he acknowledged with a smile that it was indeed so: the Greek artist responsible had studied in Italy, and the inevitable result was that Latin faces were put into Orthodox frames.

In general the eikons found in Greek churches represent an attempt to preserve the main features of Byzantine art, but I fear not very successfully. In the Metropolitan Church at Athens may be seen eikons and frescoes that call forth astonishment rather than admiration, so 'loudly' is the paint applied. Still here and there are to be seen ancient eikons that bear the stamp of true Byzantine art; these have been lucky to escape the hand of the pillager and the cheque-book of the collector.

Coming back in the evening from Della Grazia and approaching the port, our homely little 'Ford' struck a rock, or at least a nail, and we had to limp ignominiously home. As I was sailing that night, I paid a last visit to the parish-priest of Hermopolis, at the Church of the Annunciation, where I had celebrated Mass during the week. M. Provilenghios is a fine-looking man of some sixty-years, who had studied at Rome, and had even once made a voyage as far as Marseilles, but most of his life has been spent in zealous contact with his people. He has a beautiful little church and a charming house beside it, where one can look over the water to the distant islands north and east. Life in Syra is somewhat simple, and I envied M. Provilenghios his flock, his church, his house and that outlook: his flock, because at least it is always there around him, whilst mine is a wandering flock and I have sometimes to travel two and three hundred miles

to reach my sheep ; his church, because my own is a portable one and is a source of anxiety to me from day to day ; his house goes with his church, whilst with me the one thing certain is that six days out of seven I shall have to shoulder my church, leave my cabin and beg from strangers a little space for Holy Things. Lastly, and will you excuse my envious thoughts, after the day's work is done, it is pleasant to watch the declining sun playing upon the hillside of the islands yonder, to dream of the days of old, and to forget for a while that Europe is a pool of blood, and that men's hearts are a prey to strife. Here, at least, is peace.

A NAVAL CHAPLAIN.



# SOME IMPRESSIONS OF FRANCE

By D. T. BARRY, M.D. D.Sc.

## I—FIRST THOUGHTS

FRANCE now occupies a prominent place in the minds of all speculative thinkers; it is uppermost alike in the thoughts of those who desire to study the immediate effects of the great world upheaval of the past five years, and of those who attempt to foresee its remote developments. The disruption of the old life has been of too recent date to regard present conditions as a safe guide to ultimate events; the course and extent of future growth are not adumbrated by actual present-day efforts at rehabilitation, which are of necessity crude and incoordinate, but to some extent we have an indication in these of the direction to be given to affairs in general. War has effected an enormous change in all countries touched by it directly, and a change of lesser degree in those indirectly affected: in none of those in the former category, perhaps, is the transition to a settled existence so facile, the adaptive powers of the people so ready, as in France; but here, too, as in other places, incoordination and irregularity are obvious in many phases of the national life.

It is fallacious to base one's estimate of the actual state of the country as a whole on the narrow experience of life in the capital; and the present writer has as yet, in present conditions, been able to visit but few places outside this restricted sphere; but on the whole, Parisian events provide a more reliable criterion of future development than provincial conditions, and, ignoring ulterior possibilities altogether, provide a subject of absorbing interest for study. In the zone of actual destruction by implements of war the writer has found an opportunity of visiting a limited region, embracing Soissons, Crouy, Chemin-des-Dames (a small portion), an area just short of Laon and St. Gobain, as well as St. Quentin and the district around it. Even this limited experience gives an important indication of the conditions under which the

inhabitants exist and of the possibilities of restoration to normal life in a given time.

To begin, the S.S. 'Normannia' sails into the calm waters of the harbour at Le Havre at seven o'clock, on a most delightful morning; all the passengers crowding round the decks are eager for a first glance at the land of romance. France is bathed in sunshine; the faces ashore, all wreathed in smiles, seem to offer hearty welcome to the visitors on board the arriving boat. No further formality is required for landing than the handing up of tickets; all tests have been passed and *bona fides* established in London and Southampton. Not the least disagreeable of these is that passed at the hands of a new species of official, the pocket-searcher. This is a man of sinister mien who asks for the production of all tobacco, matches, playing cards in one's pocket—to place one's cards on the table—and when it is done he proceeds leisurely to examine the 'cards' and the pockets. With a *permettez-moi*, which comes after the action of searching is begun, he lays hands on one and passes quickly from one region to another superficially: it is a case of a 'fellow feeling' which is not calculated to make us wondrous kind.

We disembark and find that there is no dearth of porters to look after luggage. One of the tribe is forthwith engaged and told to put the things in the train quickly. With a superior air and a confidential tone, he replies: 'Mais la *guerre* est a vingt-cinq minutes d'ici.' 'What?' he is asked. He repeats, 'La *guerre* est. . . .' The fellow surely means to be insolent; he must be spoken to severely. 'Tenez, bouf——.' At this point in the colloquy some one a little more familiar with the Havre *patois* intervenes, and explains that the man means to say *la gare*! And so it is: the station is at the other side of the town, and the first disagreeable transaction is effected when it is agreed to pay ten francs to the *cocher* for the trip across to it. At the station there is a little more extortion on the part of the servant who secures places in the train; what one franc effected in that way *dans le temps* now requires three or four.

With the disagreeable incidents are mixed up some pleasing observations: the prices asked for fruit, milk, chocolate are quite moderate; newspapers, magazines, etc., are cheaper than at home, and we send off a telegram for sixpence. It is a detail that this wired message reaches Paris *after* we arrive there by train.



On the train we converse with some interesting travelling companions. The subject which interests them most is the Humbert trial, just coming to an end. Humbert, a director of *Le Journal*, was accused, with three others, of conspiring to convert the newspaper to the interests of German propagandists. Some half-dozen questions, in connexion with incidents supposed to have occurred between 1915 and 1917, were put to the seven members of the special Council of War composing the tribunal in the Humbert trial; five of these were answered in his favour by four members, as against three who were for condemning him on these counts (*majorité de faveur*). To the sixth question, concerning the relations of Humbert with Bolo, a reply equivalent to 'guilty' was made by four, the remaining three being for acquittal (*minorité de faveur*). It was on this count that doubt was expressed on the fate of Humbert; a majority even of one rules the decision. For instance, Desouches was found guilty by four to three, and was sentenced to five years imprisonment, with a heavy fine as well. The fact that Humbert had been nearly two years in prison had some weight in the framing of the favourable verdict by which he was acquitted; but the result must have seemed irregular to Desouches and his friends. Lenoir, who was condemned by a majority of six to one, was sentenced to death. The fourth *inculpé*, Ladoux, was found not guilty on two counts, in one un-animously, and in the other by a majority of five to two; he was also acquitted.

In general appearance Paris looks at first sight very crowded, and the impression is fully borne out by closer acquaintance. At every turn the congestion is remarkable; it is said generally that the capital and its environs have to accommodate more than two millions of people over and above the normal population. The surplus is chiefly made up of refugees who are only now beginning to leave for 'home' in small numbers. Besides French and Belgian, there are also numbers of visitors from England, America, Italy—in fact, from all lands; even the enemy countries have their representatives here, though, of course, in small numbers. Lodging of any sort is practically impossible to find, and it is no uncommon occurrence that visitors are obliged to parade the streets all night or *coucher à la belle étoile*.

There is a want of sugar, and much difference of opinion

exists concerning the cause of it. For the first time in three or four years the pastry-cooks have now *carte blanche* to provide their patrons with the old tempting wares. This *pâtisserie* is easily the dearest thing in food materials, sixpence is the price of an ordinary *petit gâteau*, the equivalent of which in Ireland costs one penny. It is said that the amount of sugar devoted to this purpose is the chief cause of the shortage in this commodity for the household. There are many gourmands, chiefly *nouveaux riches* (profiteers), to whom price is no object; so the dainties disappear as fast as the *pâtissier* can turn them out. From 4 p.m. to 6 p.m. the confectioners are besieged, and literally, in some of the places, there is no elbow room for the necessary movement of conveying the materials to the lips: *il y a loin de la coupe aux lèvres*. The peculiarly French product known as *la gaufre*—a wafer-like article made in a few seconds while you wait—has jumped from ten to fifty centimes in price. The *gaufre* is a most deceptive thing; resembling in outward appearance a substantial cake of ample proportions, on closer acquaintance it proves a frail and fraudulent species of provender. For camouflage reduced to a fine art there are few things to touch it; notwithstanding previous experience, one is persuaded again and again by the look of it that there has been a mistake and that the *gaufre* is really the substantial thing it seems to be. But no: it is ever the same illusory affair.

The *nouveaux riches* make up a prominent feature in French life just now, an objectionable feature to those with whom the aesthetic sense has attained some degree of development; they are the pet horror of decent folk who have lost friends and fortune in the war. These, even when it is a matter of choice rather than of necessity, in train, tram, theatre, like taking their places *parmi les ouvriers* to avoid contact with the vaunting profiteers. A piece entitled the 'Nouveaux Riches' has had a most successful run at the Théâtre Sarah Bernhardt. The *gaucherie* and grammar of the ilk are superbly portrayed in some *crevantes* scenes; the humour is finely veiled for the most part, and the sarcasm is mostly lost on the tribe which occasioned it. To give an example: the daughter of a motor magnate announces to a friend her intention of taking lessons in French, because she doubts her proficiency in the use of this, her mother tongue. The



confidante says that is quite unnecessary, as in their long acquaintance she would certainly have remarked it if her friend, the diffident one, spoke bad French. '*Je m'en "aurais" aperçu,*' she says decisively.

War trophies are evident at every turn. The Place de la Concorde is littered with guns of all calibres, and the Arc de Triomphe is surrounded by similar prizes. In the Hotel des Invalides a variety of weapons, flags, war equipment of all kinds, is displayed in great profusion.

The great Paris Fair in the Tuileries has just come to an end. Here, as in the case of all the *spectacles*, overcrowding made access to the different exhibits a matter of great difficulty. The Fair has been a purely national affair. Novelties and improvements in instruments of war constituted a feature of the exposition. There are some, at least, who believe in the future of this type of industry!

At the Grand Palais or Salon, the French Royal Academy, the exhibits which prove most popular are those depicting war events or war-like personages. In other respects it resembles former exhibitions, but the standard of merit does not reach that of previous displays: art as well as industry—peace industry that is—has been deleteriously affected by the conditions of war.

In the Petit Palais, across the street, the exposition of foreign works of art attracts large crowds also. Great interest is displayed in the weird-looking collection of Yugo-Slav exhibits. The first view of this gives the impression of something primitive, unfinished, coarse, asymmetric. Later minute study reveals certain points of merit: anatomical detail, superficial lines, and markings on the sculpture show close attention to this part of the work and indicate designing ability; but the whole lacks finish. The type of face in general exhibits no beauty, nothing attractive in fact; every feature is gross, inelegant, even sinister, while proportion and symmetry are much neglected. The forbidding aspect is strongly suggestive of caricature, which pervades one's estimate of the work throughout. Yugo-Slavia has certainly much to learn in the matter of technique, and from the aesthetic point of view it is to be hoped that the repugnant aspect of the figures will be less pronounced in future efforts.

On stepping into the Spanish gallery there is a marked change of scene. The brilliancy of conception displayed here, the perfection of execution, the skill in design, the

tone, the colouring, constitute a whole which is wonderfully refreshing to the eye after the Yugo-Slav *bizarrierie*. Study in detail of the individual exhibits is a fascinating performance. By sacrificing a little attention to the central lounge a seat may be snatched when a vacancy occurs, and one subsides into its alluring depths with a feeling of great satisfaction and a desire to remain there indefinitely. The chief attraction is the corner devoted to the Goya productions; Paris, now re-awakening to its pre-war sense of the artistic, raves about these. The Goya tapestries surround the garden on the outside and form a really fine setting to the multi-coloured flower-beds and the glistening water in the basins in between.

A production which excites considerable interest and enthusiasm in this gallery is the plaster work figure of Guitry, the famous actor, by the rising young Spaniard Echague. Guitry has recently entranced Paris by his acting in the piece representing Pasteur, at the Vaudeville, written by his son, Sacha Guitry. In this his delineation of the defunct scientist impressed the Parisians as much as his previous successes in such different characters as Voltaire, Victor Hugo, de Musset. Pasteur's daughter, Madame Valery Radot, it appears, could not suppress a cry as Guitry first came on the stage, so striking was the resemblance. This was the sincerest praise to the actor. He has resuscitated a complete being by the perfection of his make-up, his delineation of expression, his voice and gestures. Incredulity gave way to enthusiasm as the audience took up the spontaneous exclamation of Madame Radot, and shouted, 'C'est lui!'

In the Louvre, vast and spacious as are its many galleries, it is difficult to make headway, especially on a Sunday afternoon; the crush is not quite so bad on week-days. Nearly all the works of art, removed for safety during the Gotha régime, have been restored; many of the pictures were, a few days ago, ranged along the floor, however, still unhung. The congestion is greatest round the famous pastels of de Latour, removed from the museum at St. Quentin by the Germans, it is said, and since recovered. The celebrated painting of Mona Liza once more occupies a prominent position; the wonderful face of mystery has lost none of its power to charm.

The zoological gardens (Jardins d'Acclimatation) show great devastation and a most desolate condition, resulting



from the neglect of the past years. Cages, aviaries, stables, dens, hutches, are not only empty for the most part, but are either tumbled down or overgrown with *débris*. Large numbers of the beasts were slaughtered to save the expense of feeding them, and especially to obviate the lack of attendants who were called to other duties. The few animals remaining are still badly looked after, and in general present a poor appearance. Notwithstanding the pooriness of the show provided the gardens are as crowded as ever in the afternoons; the competition amongst the younger visitors for elephant rides, ostrich rides, etc., is very keen. The Jardins des Plantes, on the other hand, to which admission is free, are not at all so dilapidated, and the animals there are in much better trim.

## II—SOCIAL RECONSTRUCTION

The wages of the working class have undergone a substantial increase all round, but it is not uniform; skilled workers in all arts and crafts have enjoyed a greater rise than the unskilled, and of these latter the various groups show some peculiar discrepancies. In those trades where raw materials are easily procurable and employment can be freely given, the wages are more than double the pre-war rate; in those for which materials are not to hand, the building trade, for instance, the only form of employment available is that connected with repairs, and the workers are content to take what is offered to them. Employés of the Municipal Council are very well paid. The salaries of professional classes have not as yet been augmented. Some of these are surprisingly low; the average salary of a judge of instruction, for instance, is about £130, whereas the servant who keeps his affairs in order gets as much as £150, and the crossing-sweeper outside the gate much more. It is, of course, true that those judges are nearly all men of means, who can afford to work for small pay; the State wisely makes use of them in this way, and exacts more work from them than is expected of much more highly paid officials in other countries.

The settling process after the *bouleversement* is much more advanced in some directions than in others. Private enterprise is in many cases independent of State control, of labour unions, etc., and several forms of industry are thus in full swing. In others, where capital has been lost and compensation is looked to for the motive power to

begin, there is a deadlock. The State has not the money to meet demands upon it, and is making frantic efforts to extract money from its subjects. These efforts are not well directed ; there is a want of co-ordination which sometimes partakes of the ludicrous. The most urgent claimants on the State's aid, demobilized proprietors and directors of industry, are themselves vigorously dunned for their *contributions*. Arrears are peremptorily demanded of them before they have time to feel what civilian garb is like. There is a good deal of distrust in the present attitude of the State towards property owners.

In England, the middle classes have their grievance in the out-of-work money paid to the labour class, which caused such enormous difficulties in finding workers of any kind owing to abuse of the system. In France, the most annoying institution, which gives also much scope for abuse, is the moratorium. Those who do not live in France can scarcely conceive the mischievous character and the demoralizing effect of this law. That the rent payable by a soldier in the field, or by his family at home, should be suppressed during the war must seem reasonable to everyone ; such a tenant has no source of revenue, and the State measure designed for his protection is a just one. It is not equitable, however, that he should remain free of all responsibility in this respect after he has been demobilized and for some time in receipt of a good salary. But that is only a small defect in the moratorium law.

Not only soldiers and their dependants come under its aegis, but it is made adaptable to all who have had nothing whatever to do with the hostilities. No one need pay rent, and few have paid rent during the past five years. It matters nothing that old people whose only income was derived from house property should literally die of hunger, as many have died. A *Commission Arbitrale* has recently been appointed to investigate claims of house-owners against tenants of the stay-at-home order—no one who has been in uniform is amenable to it or to any other tribunal. The Commission may make an order for payment by instalments, but the sheriff, who has to see it executed, has strict injunctions not to adopt severe measures with anyone. Needless to say, the *Commission Arbitrale* is a farcical institution. The practice of sub-letting is quite common ; the tenant receives rent from the sub-tenant, but the owner gets nothing from either !



Numbers of houseless people are clamouring for apartments, and are willing to pay 50 per cent. more than pre-war rents, but house-owners cannot accommodate them : possession is ten-tenths of the law.

The town of Amiens had about 10,000 houses partially or completely destroyed. The Prefect of the Somme Department, without waiting for the State to pass a law to that effect, found the means to raise a loan which was devoted to the work of reconstruction. The result is that Amiens is almost completely restored already, while other places along the zone of destruction show as yet no movement towards restoration beyond the individual efforts of the hardy inhabitants who brave all hardships in their desire to re-make a home. Thirty millions of francs is the sum devoted to repair in the town of Amiens.

Within the past few days the Government allotted small sums as loans, without interest, to the returned refugees ; it is said, unofficially, that these loans will be converted into compensation gifts when the indemnity is paid by Germany. The great question of the moment is : will Germany pay ? Or, can Germany pay ? The despondent prophecy of Brockdorff-Rantzau of the dire results of accepting the treaty, his contention that such a course would be suicidal, is taken seriously in some directions, discounted as bluff in others. The Count is a seer of truthful expression, say the former ; ' Brocky ' is a trickster, with an eye to the ballot-box, say the latter. Who knows ?

One hundred millions of francs are demanded by M. Clementel, Minister of Commerce, to aid those who are returning to set up their business again. It is a small sum—a little over three times the amount devoted to Amiens alone—and will not go far in cleaning up the *débris* over hundreds of miles. There is no suggestion as yet of compensating those who have lost their all behind the lines. Those who suffered by the moratorium, for instance, have no means of improving their property, and houses generally are in a shocking condition from neglect. ' Paris reste sale du trottoir au toit, de la cave au grenier.' So says a writer in *L'Intransigeant*.

The great strike of bank and bourse employés has come to an end—for the present, at any rate. The processions of the strikers had become a familiar sight in the streets ; during the past few days they have been absent. Some 25,000 workers of all classes were ' out.' Looking at the

demonstrations in force, which occurred once near the Chamber of Deputies, and directed towards it, there seemed to be the full complement, and over, taking part in them. On the whole, the proceedings were orderly, and the concourse broke up quietly soon after the intervention of police and military, who prevented the *grévistes* from actually reaching their objective. The difficulties of settlement of this strike were not so much those of terms of payment, hours of work, etc., but the determination of the employers not to recognize the syndicate. At a critical moment the manner of the *pourparlers* was altered: M. Lehideux, President of the Bankers' Union, was induced to give a direct interview to the delegates of the employés rather than continue negotiations through intermediaries. At this interview more was done in one hour than during the several weeks preceding. Thirty per cent. increase in all salaries, forty-eight hours' week, pay for time lost in strike, were the conditions agreed upon, while, without accepting directly the principle of the syndicate, the employers had to admit its existence as a factor in the settlement of all future disputes. A remarkable feature in the demonstrations was the share taken in them by women. Large numbers of these, with the distinguishing red card pinned to the dress, were in evidence, and seemed to have no small share in the direction of proceedings.

The emancipation of women, from a legal standpoint, is in France much behind its progress in England and other countries, but in France women are found on an equality with men in every sphere. At the present time a measure is before the House of Lords in London for the admission of women to the profession of law; in France they have had that privilege for many years. An intensive campaign in favour of women's suffrage is being pursued, and this is likely to come soon; France cannot much longer lag behind England, America, Sweden, etc. Women are, in fact, in the forefront of every movement towards reform. The phrase, *cherchez la femme*, which imputed the rôle of *intrigante*, mischief-maker, obstacle to progress, bids fair to undergo conversion to *regardez la femme*; she is in the open, and plays a part above board in directing affairs. The Chamber of Deputies has passed the Women's Suffrage measure, but the Senate withholds its consent. If the French women imitated the tactics of the British suffragettes they could probably force the Senate to accept



at once. But, as Léon Bailly writes, 'nos femmes sont tellement femmes, au sens le meilleur et le plus attirant du mot, qu'elles redoutent.' French women disdain the crude, lawless, *grossièreté* of the British women. They prefer to wait patiently a year, two years, as long as necessary, rather than proceed hastily to unseemly displays.

### III—VERSAILLES

The historic town of Versailles presents at this moment its habitual aspect of dullness, if anything exaggerated in some directions. Round the *casernes* there is a little more life than usual with the increase in the number of soldiers and their more frequent *entrer et sortir*. In other districts, where one might expect things to hum, there is little sign of the life supposed to underlie the epoch-making events which are staged there. The German delegates attract some attention when they take recreation in the park, but chiefly from the few visitors found in the town; the natives show a peculiarly detached air in relation to the vital happenings in their midst. It was ever thus with the Versaillais: indifference characterized their attitude towards the astounding splendour, the glory of courts, the pomp and ceremony at their door, as well as towards the stirring changes in the history of their country which resulted, in great measure, from the profligacy and extravagance of their leading inhabitants. Revolutionary mobs have paraded its streets, broken through its gates, and battered its castle's doors, but Versailles itself contributed little to such displays. The turbulent element consisted of Parisian rabble and other outsiders; but dignity, indifference, lethargy, loyalty—call it what one will—determined a condition of severe neutrality amongst the natives. It is strange, but none the less true, that this *insouciance* is fully in evidence to-day. A few strangers may be seen round the Trianon Palace Hotel at odd moments. Occasionally a face in the Rue des Reservoirs is seen to take on a look of interest—a visitor's face it is certain. A few gazers near the Bassin de Neptune have, like oneself, return tickets in their pockets.

The indigenous types there is no mistaking; the old fellows lounging about the statue of General Hoche, or reclining on the seats of the park, seem to be the same that one noticed going to sleep five years ago, and that have so remained ever since. Old Madame L—— has the

same old postcard stand, in the same corner; she, too, looks as if she had not budged since last time. *Les marchands* exhibit no modification of their erstwhile customs and methods; in other places the wiles practised to draw the moneyed American soldier, for instance, the marking of wares, the general bustle, etc., give a more pronounced air of life. At Versailles such a departure from routine must be considered *infra dig*. The town is evidently bent on preserving its pristine attributes for all time.

The Galerie des Glaces, which served for the purpose of the foundation of the German Empire, is soon to be the scene of another treaty, not merely between France and Germany on this occasion, but between the latter nation and the several Allies.

The famous gardens are resplendent as ever in this early summer. The olfactory sense is stimulated by the mixed perfume of Persian lilac, roses, azaleas, and a dozen other fragrant shrubs. The rows of chestnuts, poplars, palms, have all their old power to charm, and prove ever refreshing to the eye. As for the basins in this *Cité des Eaux*, the statuary, the numerous groups of children set up by Louis XIV, whose pet fancy was *l'enfance partout*, the destructive influences of centuries have made but slight impression on them.

The question uppermost in the minds of some people is, how long Mr. Wilson will remain. The Americans, who are most interested in the question, seem to be furthest from supplying the answer. It is probably unknown to the President himself; no doubt, his stay will be determined in some measure by developments in connexion with the League of Nations, independently of a successful issue to the problem of treaties. The League project interests more people actually than that of the Peace Treaty; the latter is considered as concluded, but, of course, until the German signature is secured or definitely refused, there is no end to it. The League is a more favourite theme, and evidently the title appeals to some enterprising *commerçants* who give it to their business establishments, hotels, restaurants, and other lines. At Havre, one of these was noticed with the sign, 'League Off Nations'; though it was clearly legible the need of hurry to catch a train made the determination of the exact nature of the house impossible.

It will be interesting to see the effect of the League of



Nations on international trade conditions. Already there are signs of the severe competition which Germany means to engage in with other countries; and if she is given a chance by the open door, or the half-open door, she has a weapon wherewith to exact a stunning revenge. A Monsieur Claussat, Socialist Deputy, has demanded of M. Clementel an injunction to prohibit certain transactions going on in the Rhenish area of occupation. Soldiers buy articles from German merchants and sell them at a profit to French dealers, either near the spot or on returning to their homes on leave. One of the examples given is a species of cutlery, sold by Germans at 8 francs per dozen; the equivalent French product, if sold at less than 24 francs per dozen, would leave no profit to speak of!

#### IV—RELIGION AND SCHOOLS

The conditions under which Alsace and Lorraine were taken over were that all should be as it was in 1870, before these provinces were annexed by Germany. That meant, so far as religion was concerned, that the Concordat should still prevail. The Concordat was abolished in France in 1905, and, of course, remains in abeyance to-day; therefore the relations of clergy to State are different in the 'new' provinces from those existing for the rest of France. There was a feeble outcry when Clemenceau, a strong man, ratified the appointments of prelates made by the Municipal Councils of Strasburg and Metz. The comments lacked the furore which might have been expected from the *libres penseurs* under other conditions. Firstly, it is well known that the spirit of loyalty to France was kept animated in the disputed territory chiefly by the clergy; their influence in that direction has been enormous. Secondly, the *libres penseurs* in France are not blind to the invaluable services of the clergy in the war; they recognize that clerical power and influence have, again and again, subverted the machinations of Socialist *defaitistes* at critical periods in the struggle. Altogether there seems to be a distinct lull in anti-clericalism in the country; it is certainly noticeable in the immediate relations between priests and people.

So promising is the situation that there are many optimists who believe that the elections next year will result not merely in a big Socialist defeat, but in a big pro-Catholic majority. With this desideratum uniformity of conditions for the whole country is envisaged: a return in France to

school grants and clerical subsidies, as in Alsace and Lorraine. The State schools, lycées, are subsidized by the Government; others are given grants by municipal councils and communes; the Catholic schools have to depend entirely on voluntary aid, and, needless to say, it handicaps them considerably. They are dearer than the subsidized schools, but the difference is small. It is difficult to determine how far this optimism is justified. On the 1st of May the Socialists rioted in the streets of Paris; the mob was opposed by police and soldiers, and a pitched battle ensued. These riotous demonstrations, or the success which they attain, are regarded as meaning roughly the hostile spirit towards the clergy, though, of course, they are not ostensibly anti-clerical: some of the bitterest opponents of the Maximalists are free-thinkers. As a set-off to the proportions and importance of those riots the fête of Joan of Arc, on May 18, is cited as an indication of Catholic revival. If the grand display of bunting in the capital, the general enthusiasm of the people, and the huge attendance at the celebrations to commemorate the Maid of Orleans are to be taken as indicating success, then the Socialist effort pales into insignificance before the feast-day. If the contrast is to be taken as a criterion, the optimists have some justification for their views.

The Catholic director of one successful school told the writer that, so far as his institution was concerned, the proportional grant would be of little service, but he recognized the great boon in general which such a principle would mean, namely, Catholic share in *le Budget de l'Instruction publique*. The school mentioned has earned a great reputation; it caters for the sons of wealthy parents, and is independent of other sources of revenue than those of school fees.

In our efforts to solve the troublesome question, where to place our boys for education, we seek counsel of Monsieur le Curé, at the Church of St. Maurice, Asnières. Père Oudain is intercepted as he is about to sit in the confessional for three hours on a hot afternoon, and he willingly gives a quarter of an hour of his very full day to the interview concerning schools. A charming personality, with a prepossessing allure, the *curé* at once inspires confidence, which is enhanced to some extent by his account of his six months' sojourn in Ireland. During that period he was on the mission at Dundalk—the *l* was not ignored in his



pronunciation of the name. In case we had any doubts about the geographical position of Dundalk we are informed that it finds itself in the Archdiocese of *Armague*.

‘Eh bien,’ said M. le Curé, ‘vous desirez une bonne école pour vos garçons ? Où la religion serait bien soutenue ?’

‘Exactly.’

‘And you have a penchant for the Lycées ?’

‘Yes.’

‘Send them to the Lycée Condorcet. The former chapel, St. Louis d’Antin, of the College is still there beside it, and its priests are as much occupied with its pupils as they were in former times. Special courses of religious instruction are at the disposal of the boys—voluntary, of course—and they are taken advantage of by a vast proportion of them. In this the students are encouraged by their teachers, *surtout depuis quelques années*.’

The information given by M. le Curé is fully endorsed on making inquiries at the Lycée Condorcet. The famous school presents an air of tranquillity, of emptiness in fact, so quiet and sombre does it look from the outside. On entering the large courtyard one is at once struck by the contrast with the buzzing life beyond the street door. This tranquil aspect is not premonitory of the hive of industry existing within. Perhaps the most impressive feature of the French school is the stillness which seems to reign at all times ; work is conducted so quietly, silently, and so efficiently withal, that one’s notions of the accustomed attributes of primary and secondary studies undergo a change. Even when the instructor speaks the calmness is scarcely affected ; his voice is so modulated that it carries with low intensity to all parts.

We are informed that as yet the old system is but little changed, that is to say, sports and games take small part in the daily routine ; systematic physical exercises are indulged in under special instructors. The present ambition of all schools, the intention of many of them, is to acquire increased space and give scope for free indulgence in outdoor games of all kinds.

The Condorcet, like other schools, caters for pupils in different ways : *externes, demi-pensionnaires, pensionnaires*. What are the conditions for half-boarders ? The boys arrive at 8.30 a.m. and leave at 6.30 p.m. They have lunch at mid-day—meat, vegetables, etc.—and *le gouter*,

in the afternoon—bread and butter with chocolate, jam, etc. And the fees? According to the division entered, from £35 to £45 a year. Very tempting all this, but we do not close with the offer. Presently the element of competition makes itself felt. Well-meaning friends tell of an *école épalante d'un nouveau système*.

We are given a book entitled *L'Art de Faire un Homme*, by l'Abbé Mocquillon, which proves most interesting. Education, we are informed in the first page, is a word derived from the Latin verb *educare*, which means to form, to cultivate, to instruct. An alternative etymology derives the word from *educere*, to draw from. This meaning is expounded in the idea of drawing from the body and from the soul all the qualities there existing in germ form so as to make them manifest outside the individual. Attention is then drawn to the different meanings of the words as employed by the Romans; for instance, *educit obstetrix*, *educat nutrix*, *instruit pedagogus*.

Father Mocquillon maintains that the different ideas for definition may be included in a simple expression and defines education as the art of making a man. A man is defined as a being who is capable of being master of himself and of events ('se maîtriser lui-même et maîtriser les événements'). In perusing the opening pages of this book the writer was reminded of a saw, the source of which was not registered in his memory; it is: money lost, much lost; honour lost, more lost; courage lost, all lost. Courage seems to be the basic principle on which Père Mocquillon would found all the qualities which go to make a man. *La volonté* in man, he says, is a gift from God, of supernatural and magical power, but down to our own time the most idiotic and criminal conspiracy on the part of parents, teachers, friends has existed for the suppression of it. Thus are present-day methods in most schools impugned. Père Mocquillon has taken his coat off to the abuse of discipline, to the *manières distinguées*, to the '*petit monsieur bien rangé*.'

Fifty years ago, the author admits, the system of education was adapted to the then conditions—distant relationships between individuals and peoples, imperfect communication, mild competition, etc.—but to-day all is changed, and the necessary modification of character and temperament has not evolved *pari passu*, because education has remained *in statu quo*. The giant strides in



evolution, physical, moral, intellectual, social, show that the old society, with its laws, ideas, prejudices, appetites, has more than one leg in the grave; but the old system of education is still with us. The consequences of this are painted in a lurid light by the author: 'Malheur, aujourd'hui à celui qui est assez naïf pour dire, même à des intimes, le fond de sa pensée!' Duplicity, deception, meanness, pettiness, characterize all relations between individuals, both from a business standpoint and a purely friendly one.

The Ecole Racine, at Auteuil, which the Abbé Mocquillon directed, could not weather the storm of the war, and was recently broken up; the ex-director is not at present in the vicinity of Paris. The system advocated by Père Mocquillon, however, is fully adhered to in the school of Notre Dame de Ste. Croix, at Neuilly. In this school it is wonderful to note the degree of order and discipline prevailing without being made obligatory by specific rule; the honour and good sense of the boys are appealed to, and suggestion effects in great measure what requires a strict code of regulations in other institutions.

Another Catholic school in which the principles of freedom and self-determination are admitted to a large extent is the Ecole Montalembert, at Beçon. The director, l'Abbé Duclaud, is a man of wonderful energy and resource. He is at present engrossed in plans for enlarging the school, to meet the great increase in numbers of pupils. Fortunately, he has the ground necessary—purchased when ground on the left bank of the Seine was cheap. Now, with the demolition of the fortifications and the extension of Paris, the ground here is worth four to five times its value of a few years ago. Abbé Duclaud is to effect a complete transformation, so that a large part of the available space is to be devoted to games. Half-boarders at this school pay from £45 to £55 a year—certainly not an excessive sum, considering the value received. Teachers have to be paid nearly twice as much as they received in pre-war days; the prices of everything have gone up. The average income of the school is about £4,000, and on this a large staff of teachers (exact numbers not ascertained), and a number of servants have to be maintained, while the cost of upkeep inside, where the boys are most generously supplied with excellent food, is very high.

## V—VISIT TO THE FIELD OF BATTLE—CONCLUSION

One consolation which we promised ourselves for the Spartan effort made in rising at 4 a.m. to catch a train to the scene of hostilities was the absence of congestion which we looked forward to. This proved a foolish surmise. Arriving at the Gare du Nord some forty minutes before the train was timed to start, we are confronted with an enormous queue—or rather a dense phalanx with irregular fringes: length is the least remarkable of the dimensions of a French queue, no matter what its proportions. There are rumours that some of the well-placed members near the *guichet* have been stationed in the vicinity all night. The competition for a railway ticket to the Front is just as keen as for the purchase of sugar.

When in Paris we must do as the Parisians do, so we close up and take part in the struggle. Presently we get wedged in; some foolish people who were making excursions to and fro at the periphery when we arrived are still there, as the distance between us and our objective gets shorter; they are probably still on the same beat when we reach it with just two minutes to spare! By a fortuitous circumstance—some people who do not wish to travel without a friend, still struggling for a ticket, forego the trip—we procure seats on this, the only train for the day to Soissons.

There is little of interest until we arrive at Plessis Belleville, where a huge French aerodrome is situated; the full extent of this cannot be judged from the train, but large numbers of hangars stretch away into the country. From this point on there are reminders at every station of the tragic events, the scene of which is being approached. At Vaumoise are scores of motor busses, formerly plying in the streets of Paris; it was the centre for distribution of meat to the troops, and on each bus the letters R.V.F. (Reserve Viande Fraîche) are seen. The Villers Coterets forest is soon touched, and we arrive at the village of Corcy—rather what was the village of Corcy. This village marks the limit of the German advance, and the *débris*, the broken tree stumps, the little crosses which mark the graves of the fallen, indicate the appalling nature of the struggle to penetrate deeper.

Soissons is sadly battered. Few houses remain standing, and none, so far as could be seen, were left untouched. The make-shifts to provide shelter for the present



inhabitants are full of variety. The Post Office is situated in a room of the Town Hall, which escaped complete destruction; it is also the sleeping apartment of the postmistress, whose bed is placed in one corner. The Cathedral has some corners knocked off, but is not irreparable. In other places the roof is held up by ropes stretched from one wall to another. Beyond the town dug-outs and trenches are fitted up as residences in a most extraordinary fashion; in many instances presenting an aspect of really comfortable dens, in others—more recent occupation—they look just like the simple burrows in a rabbit warren.

The battery positions are marked chiefly by heaps of ammunition boxes, countless numbers of which are scattered all round as well. Thousands of shells are arranged in heaps, but of these, too, large quantities are strewn round irregularly, and many of them are full. The ground is littered with rifle and machine-gun remnants, with immense quantities of the ammunition designed for them. At every step live grenades are met with off the beaten tracks; these have caused numerous accidents to the pioneers in reconstruction, and must remain a serious danger for a long time to come. Human bodies were not encountered, but by all accounts they are to be found on this part of the battle area still uninterred. In the whole course of one's peregrinations there is scarcely a house left standing; the most isolated villas, farmhouses, and cottages are razed.

Amidst all this desolation and ruin, this terribly depressing scene, the feature that stands out most prominently after a little reflection, is the extraordinary dogged purpose, the pluck and determination to repair, shown by the returning inhabitants. Most of these, with no immediate prospect of aid from any source, no promise of anything more than what they can themselves accomplish, have, without obligation of any sort, quitted comfortable homes and situations to brave years of untold toil and danger in the effort to re-make the old and real home. Monsieur S——, of Villers-le-Sec, known to the writer, made numerous friends in Paris during his period of banishment, and obtained there a very lucrative situation. His employers begged him to remain on, even for a time, if he did not wish to take a permanent engagement. He refused; the call to the old habitat was too strong, and he returned to share a dug-out with a friend, until he could

make an independent roof. His case is but an instance of many.

Facilities in the matter of supply and transport, in addition to the loans mentioned, are being offered by the State to encourage the work of building on the ruins. Materials, however, are very dear, and some, for instance coal, are unprocurable in quantity at any price. Tractors for ploughing up the land are provided free of cost. Personal luggage on the railway must not exceed 500 kilos, but the refugees may return to their exiled position free of charge within a certain period after their departure from it, and take a like weight in effects on this second journey. The chief immediate difficulty is the lack of furniture; that which they left behind has completely vanished—destroyed or pillaged, there remains no trace of it.

In conclusion, we may say that France's supreme effort to resist death is likely to be supplemented by its supreme effort to live becomingly the life which it earned. There are obstacles, serious obstacles, in the way of this course, and as yet there is no certainty that they will be all overcome. Mistrust and misunderstanding between classes are a source of danger, and a distinct threat to permanent harmony. The class of moderate means, small and medium property-owners, believes that it is exploited by the financiers and influential wire-pullers with large estates. The proletariat believes that it is exploited by both, and, coming more directly in touch with the first mentioned, which numbers many employers of labour, exhibits a combative aspect towards it. The proletariat shows symptoms of a strong desire to assume dictatorship, as it believes that society is exclusively the work of labour, that labour is the root and essence of society. Labour has won the war, has alone sent the men who risked and lost life to win it! So say the proletariat. It will concede no share to a Foch, a Castelnau, a Gouraud. It cannot or will not recognize the part played by the representatives of the bourgeoisie who led it—led it by going over the top on each charge *in front* of it—to victory. This 'Dictature du Proletariat' is a false idea, and the proletariat will recognize the stupidity of it when Bolshevik propagandists get their quietus. Bolshevik effort is vigorously sustained pending the signature of the peace treaty, and the establishment of a League of Nations; it cannot last.

The small and medium property-owners are the people



who defrayed the cost of the war in France. This species of property is the greatest asset the nation possesses; it contributes enormously to the Budget. But legislators show signs of wanting to kill this goose with the golden eggs. It has been bled severely during the years of strife, and now, at the instigation of labour, the intention apparently is to continue the blood-letting process. But a league of property-owners has just been formed to oppose further infliction; it means to work constitutionally, to advertise the enormous benefits which have been enjoyed by the working classes during the war, their still greater benefits after the war in the freedom from all taxation and rent which is accorded them. These privileges go hand-in-hand with a great increase in wages, while the bourgeois class is *crushed* with taxation, and at the same time practically deprived of income. The attitude of legislators towards us, says this association, is apparently dictated by the maxim of the *soi-disant* philosopher Proudhon, *La propriété, c'est le vol.* If so, it continues, let them have the courage of their convictions and dispossess us at once; under present conditions property will soon become a source of trouble to its owners only, and a negative source of revenue to the State. Such are the relations between the State and the different classes who go to make it; they are unpromising but not hopeless; it is necessary to eradicate the Bolshevik element which stiffens the back of labour and disconcerts efforts at equitable legislation.

In other directions, the re-formation of France, even in this early phase, gives signs of more harmony and a tendency towards better understanding between classes and individuals of conflicting interests. In a country where politeness has always been a ruling characteristic of the people it is difficult to remark a change for the better in the ordinary relations between individuals; one judges rather by increased facility and ease in business transactions than in social relations, but in both spheres it is hard to avoid the conclusion that a distinct advance has been made. There is more open and frank dealing, more confidence mutually exhibited between parties, more altruism and less egoism, all of which go to suggest an amelioration of character, and a more profound moral sense. Not to speak of a new religious wave passing over the country we may certainly speak of an ebb in the anti-religious wave of former times; it is noticeable in many

phases of life; the call for increased scope in Catholic schools and places of worship connotes, if not an increase in Catholic parents, at least a diminution in anti-Catholic, which is not quite the same thing. Amongst acquaintances at reunions, social gatherings, etc., there is a marked change in the tone of the *libres penseurs*; it is greatly mollified in reference to the curés, and argument has lost much of the heat which formerly characterized it. They have not at all the old nerve and *elan* in taking the offensive, and generally give the impression of desiring no engagement on this field.

Taking one circumstance with another, weighing this defeat against that success in administration, it is, on the whole, indicative of the conclusion that France *renaît de ses cendres*.

D. T. BARRY.



# DOCUMENTS

## LETTER OF HIS HOLINESS POPE BENEDICT XV TO THE PRIORESS AND COMMUNITY AT ST. MARY'S, CABRA, ON THE OCCASION OF THE BICENTENARY OF THEIR FOUNDATION IN THE ARCHDIOCESE OF DUBLIN

(May 1, 1919)

AD RELIGIOSAS FEMINAS ANTISTITAM AC SORORES DOMINICANAS HIBERNIAE :  
EXACTUM A CONDITA IPSARUM FAMILIA DUBLINI SAECULUM SECUNDUM  
COMMEMORAT ATQUE LAETATUR

Dilectae in Christo filiae, salutem et apostolicam benedictionem.—  
Exactum non ita pridem saeculum secundum a condita Dublini familia  
vestra et exiens iam primum, ex quo, latius ea proferens locum ten-  
torii sui, se Cabram contulit, una vobis libet eademque coniungere re-  
cordatione ac laetitia. Optimo id sane consilio. Dublinensis enim et  
Cabrensis familia non disciplina solum ac magisterio sociantur, sed  
ortu, fortunae vicissitudinibus ac rerum plurimarum memoria, cum  
altera alterius germen sit ac generosa propago et, uti bene nostis, ab  
unius vita, vita alterius disiuncta numquam fuerit. Ad haec, uti edita  
a maioribus, per varias temporum aetates, virtutum exempla, quo plura  
simul subiiciuntur oculis, eo ad imitandum excitant magis, ita collata  
iisdem, longo annorum spatio, divina beneficia, cum omnia simul con-  
siderantur, grandescunt quodammodo et grati animi sensus facilius  
commovent.

Nos quidem, qui uti propria habere solemus decora dominicani  
Ordinis, libenter scitote cogitatione apud vos per hos dies diversari ac  
solatio haud exiguo animum vobiscum referre ad pias illas sorores  
vestras, quae primae Dublini commoratae sunt. Videre enim in illis  
propemodum videmur quamdam priorum christianorum imaginem, cum  
eadem fere leges eademque poenae, eadem invidia catholici nominis  
hostium coegerint pusillum gregem occultare se et continere domi. Sed  
num aquae multae poterunt extinguere caritatem? Prudenter utique,  
sed nihil timidae sorores illae vestrae, inter objectas undique difficul-  
tates et ipso quandoque capitas periculo, religioni inservire eiusque  
causam acrius in dies tueri numquam destiterunt, omnibus, locuples  
est historia testis, omnia factae.

Sed, elapso iam saeculo, deferbuerant odia in catholicos, remiserant  
iniquae leges; et parvum granum sinapis, quod dominicana caritas  
et plantaverat et rigaverat, quid ni incrementum haberet et magna

fieret arbor? Divina id ope factum accepimus: ut ipsi Nos vidimus volucres caeli, id est pueros puellulasque, quibus praesertim christiane educandis vos datis operam, venire plurimos et habitare in ramis eius. Re quidem vera Dublini et Cabrae primum et postea in innumeris iis domibus, quas Cabrensis familia aperuit in America, in Australia, in Nova Zelanda et in ipsa Africa, virgines dominicanae, positae tandem in ampliori libertatis umbra, una cum studiis, opera multiplicarunt et fructus, magno, uti in aperto est, cum Ecclesiae et civitatis bono.

Haec omnia ea potissimum de caussa commemorantur, ut oblata, occasione, ad eas vos virtutes hortemur, quas sorores vestrae suo vobis exemplo maxime commendarunt; ad christianam, dicimus, animi fortitudinem et ad actuosam caritatem. Sed eas hortari vix opus est, quae ad omnes christianas laudes sua sponte properant. Vos vero, pro vestra in Nos pietate, dum inter constituta sollemnia gratias, uti par est, Deo agetis, aliquid supplicationis pro Nobis facite. Videtis quae vertantur tempora, quanta Nos urgeant sollicitudinem caussae. Valde indigemus divino auxilio ut Ecclesiam, per tot aspera et adversa gradientem, valeamus sapienter regere ac tueri fortiter.

Caelestium auspex munerum Nostraeque testis benevolentiae apostolica sit benedictio, quam vobis, dilectae in Christo filiae, ceterisque omnibus sororibus vestris, peramanter in Domino impertimus.

Datum Romae apud sanctum Petrum, die 1 maii MCMXIX, Pontificatus Nostri anno quinto.

BENEDICTUS PP. XV.

*(Translation)*

TO OUR BELOVED CHILDREN IN CHRIST, TO THE prioress AND TO THE SISTERS OF THE ORDER OF ST. DOMINIC, AT CABRA, IRELAND

BENEDICT XV, POPE

BELOVED CHILDREN IN CHRIST,

HEALTH AND APOSTOLIC BENEDICTION.

Quite recently you completed the bicentenary of the foundation of your community in Dublin, and it is now one hundred years since your Order increased the sphere of its labours by removing to the more congenial soil of Cabra. It was, therefore, a happy inspiration on your part to commemorate both anniversaries by a common remembrance and a common joy. The Dublin and Cabra foundations are linked together not merely by the bonds of rule and discipline, but by the strong ties of a common origin; by like vicissitudes of fortune, and by a common history. The Cabra family is, in fact, the fruitful growth and offspring of the Dublin foundation, and the spirit which has ever animated it is the same which it received from the Dublin family. The union of the two celebrations has another advantage, for it enables you to contemplate, as it were, under one view, the exemplary virtues of both communities, and the more numerous are the virtues held up to you for your imitation the more powerful will be the incentives to practise them. In this way also you will obtain a fuller view of the graces and blessings



God has bestowed on you during a long series of years, and your hearts will expand with greater gratitude, and your celebration will be the outpouring of more grateful hearts.

We, Ourselves, have a special admiration for the glories of the Dominican Order, and would have you know that it is with much consolation We shall be with you in spirit during the days of your celebration, when you do honour to those pious Sisters who founded the Dublin and Cabra Communities. In them we see imaged the life of the early Christians. Like the early Christians these good Sisters were subjected to iniquitous laws and punishments, and a hatred of the Catholic name forced them to hide themselves from the enemy and to serve God in concealment. But many waters cannot quench the fire of charity. With prudence, but with a fortitude that was unflinching, these first daughters of St. Dominic, in the face of every obstacle and often even at the risk of their lives, never ceased to devote their services to religion and to the strenuous maintenance of its cause. Of all this, the history of your Community furnishes abundant evidence.

But after the lapse of a century the hatred of Catholics abated; unjust laws were repealed; and at once the grain of mustard seed, planted and watered by the charity of these early Dominican Sisters, soon grew into a great tree. In all this the hand of God was manifest, and We Ourselves see the birds of the air, that is the young children of both sexes, find shelter under its branches, and there grow in virtue and knowledge under your fostering care.

The foundation in Cabra became in time the fruitful mother of many houses in America, Australia, New Zealand, and South Africa. With a greater liberty of action, and with a wider scope for their zeal, the Daughters of St. Dominic multiplied their works with a success which makes them a blessing to the Church and to the State.

We dwell on these matters chiefly to take occasion to exhort you to the practice of those virtues of which your predecessors have given you so glorious an example, and, above all, to the practice of burning charity. But it is almost superfluous to exhort you—you whose constant aim it is to practise every virtue.

In fine, knowing as We do, your deep devotion to this Our Apostolic See, We ask that, while you express fervent thanksgiving to God in your Celebration, you will be also mindful of Us in your prayers.

You know the trying times in which We live, and the many cares that press upon Us, and consequently how much We stand in need of Divine help that We may be enabled to rule with wisdom, and to guide with fortitude, the Church which must pass through so many and such great dangers.

We impart most lovingly in the Lord, to you Our beloved Daughter in Christ and to all your Sisters, the Apostolic Benediction, as a forerunner of heavenly blessings, and a pledge of Our special predilection.

Given at Rome, at St. Peter's, on the first day of May, 1919, in the fifth year of Our Pontificate.

BENEDICT PP. XV.

## DISPUTE REGARDING THE CUSTODY AND USE OF A CONFIRMATION BOOK SETTLED BY THE CONGREGATION OF THE COUNCIL

(February 8, 1919)

[This Decree was published in July, 1919]

SACRA CONGREGATIO CONCILII

MELPHICTEN.

LIBRI CONFIRMATORUM.

*Die 8 februarii 1919*

**FACTI SPECIES.**—In dioecesi Melphicten., quae fere unice ipsa civitate constat, iam a pluribus saeculis unicus habetur pro tota dioecesi Liber Confirmatorium, quem conficit et custodit Canonicus Sacrista Cathedralis, cui, consequenter, privativum ius est ex praefato libro extrahendi fides seu attestations receptae Confirmationis quando requiruntur, speciatim ad matrimonia ineunda et percipiendi propterea a non pauperibus modicam taxam iuxta legem dioecesanam.—Non multis vero abhinc mensibus, appropinquante iam die quo Codex iuris canonici vim legis ubique assequutus erat, Vicarius Capitularis praefatae dioecesis sede vacante, ad rectam observantiam can. 470 et 798 circa libros parochiales parandam, dato decreto die 14 maii 1918 constituit inter alia ‘che il Can. Sacrista, dopo aver iscritto in conformità del can. 798 nel libro dei Cresimati l’avvenuta cresima, dovrà non oltre tre giorni, notificarlo al Parroco presso del quale trovasi il libro dei Battezzati, perche ne eseguisca la relativa annotazione (cfr. can. 470, § 2) col richiederne la risposta, così come praticasi per questa dioecesi per la notificazione dei matrimoni.’ Adversus huiusmodi decretum statim Canonicus Sacrista hodiernus recursum interposuit apud H. S. C. conquerens inde privilegium suo stallo iam a duobus saeculis acquisitum iniuste laesum fuisse, contra mentem can. 4 Cod., quin immo sibi impositum fuisse grave detrimentum non modo propter totalem futuram emolumentorum cessationem, cessante nimirum necessitate ex unico libro extrahendi attestations, sed etiam propter sumptus non modicos ad observantiam decreti faciendos; quibus attentis, in damnata hypothesi qua sustinendum esse decretum declararetur, intentionem suam pandebat renuntiandi penitus confectioni et custodiae Libri Confirmationis favore Capituli. Vicissim Capitulum, de more interpellatum, deliberatione diei 13 iulii subsequentis hanc futuram forsannam renunciationem in sui favorem prorsus exclusit, et censuit, si res eo deventura esset, satius fore abrogato privilegio ad ius commune redire, prout can. 470, § 1 continetur, nempe librum Confirmatorium, non secus ac baptizatorium, matrimoniorum, defunctorum libros, a *singulis* parochis in posterum habendum esse. Huic deliberationi minime acquiescente Canonico Sacrista, et acrius instante ut decretum Vicarii Capitularis omnino tolleretur, causa delata est ad Eños Patres, sub dubio: *An et quomodo decretum Vicarii Capitularis diei 14 maii 1918 sustineatur in casu.*

SYNOPSIS DISCEPTATIONIS.—Canonicus Sacrista Cathedralis recurrens



otus est in contendendo se exturbatum fuisse praefato decreto (et quidem *sede vacante*, contra vetitum can. 436) a pacifica possessione sui iuris seu privilegii, quod tribus consistit : (a) iure assistendi Episcopo publice conferenti sacramentum Confirmationis; (b) tenendi privative librum Confirmatorum pro tota dioecesi; (c) extrahendi ex eodem libro particulas seu attestations, cum perceptione emolumentorum. Quae omnia plane constare ex exhibitis documentis sane concedendum est. Verum, circa primum, quod probatur vel ex titulo libri Confirmatorum deinceps ab a. 1716 inscripto : 'Liber Confirmationis sub praesule Illmo . . . cum adsistente a R. D. . . . Sacrista,' nulla fit quaestio, nec mens quidem conicitur fuisse Vicarii Capitularis, in hac re, suo decreto quidquam derogare, quamquam non satis appareat hoc ius assistendi esse in Canonico Sacrista privativum seu exclusivum.—Quo vero ad alterum, seu praecipuum ius, revera a lege iam data deflectens, tenend unicum librum Confirmatorum pro tota dioecesi, loco parochorum, illud tueri Canonicus recurrens debet, non adversus Vicarium Capitularem, qui suo decreto explicite illud praesupposuit et praeservavit, hanc antiquam praxim dioecesanam componere studens cum novorum canonum praescriptus, sed potius adversus Capitulum, qui sua deliberatione censuit, in casu satius esse inducere ius commune can. 470, § 1. Nec denegandum, si res sub aspectu mere theoretico consideretur videri in casu ea esse praxis Melphictensis, quae a Codice noviter dato non revocetur, ideoque sustineri adhuc possit. Si enim consideretur quatenus est *ius* quaesitum sive Capitulo, sive Sacristae Capituli nomine, iure servatur vi can. 4; si quatenus est *consuetudo* a duobus et ultra saeculis vicens, succurrit can. 5; si tandem, quod rectius videtur, habeatur tamquam lex et statutum dioecesanum (nam et in *Constit. Synodal.* episcopi Loffredi, a. 1673, cap. XXII, legitur : 'In nostra cathedrali Ecclesia, in qua Sacramentum hoc ministrari solet, Confirmatorum liber conficiatur'), potest quidem prima fronte abrogata censi vi can. 6, 1° quatenus, 'opposita praescriptis huius Codicis,' in casu, canon 470 : verum sedulo attendendum est praefatum praxim *opponi* tantummodo cuidam praescripto secundario can. 470, non vero ipsi legi : praecipuum enim obiectum legis, in casu, est ut habeatur liber Confirmatorum, secundarium ut habeatur a parochis : porro Melphicti habetur liber Confirmatorum, licet unus pro tota dioecesi, in cathedrali. At vero oppositio iuri communi, quando cadit in eo quod est secundarium, servato praecipuo obiecto legis, non videtur secumferre abrogationem praxis.

Haec tamen theoretice : in praxi autem duo considerata sunt. Alterum est, quod dum Capitulum censet et optat in rem inducendum esse ius commune, non videtur Canonico Sacristae ius inesse obstandi, quum non agatur de re propria, sed capitulari, immo nec personam habeat Canonicus, qua, sine Capitulo, querelam movere possit. Enimvero ex actis docemur (prout iam ex. gr. ex citatis verbis *Constit. Synod.* 1678) curam et onus conficiendi librum commissum fuisse Capitulo, seu 'Cathedrali Ecclesiae,' quod ad rem diligentiam seu ministerium Canonici Sacristi *postea* elegit : nonnisi quippe ab a.

1684 libri Confirmatorum exhibiti (ab a. 1614 incipientes) mentionem praeseferunt Canonici Sacristae, quae dignitas ut quinta erecta fuit anno 1596. Ceterum rem non spectare ad Sacristam ratione propriae praebendae, sed tantum ex libera, quamvis consuetudinaria, Capituli electione, satis suadetur, hinc, quia libri Confirmatorum confectio et detentio interest boni communis dioecesis, quod curare quodammodo potest Capitulum, non vero Canonici Sacrista : inde vero ex eo quod congruentius ad rem electa sit industria Sacristiae, quia ut facile apparet, libri ipsi in Cathedrali asservandi, non melius et rectius quam in Sacristia et a Canonico huic officio praeposito asservarentur. Itaque, cum res sit capitularis, vix intelligitur quomodo Canonici Sacrista causam habeat recurrendi independentem a Capitulo, et contra huius votum et deliberationem.

Altera practica consideratio est, quam tertia querela Canonici recurrentis suggerit, ubi conqueritur sese iam gravari decreto Vicarii Capitalaris, novis *oneribus*, conficiendi exemplar authenticum pro Curia, ad normam can. 470, § 3, et nunciandi parochis receptam confirmationem pro adnotatione facienda in libris baptizatorum, ex praescripto can. 798, unde sequitur quoque sese privari *iure* extrahendi ex libro attestaciones et emolumenta pro iis percipiendi. Verum, quoad haec frustra querelas admovet contra decretum, quae potius contra Codicem sunt. Nam profecto ius extrahendi particulas ex libro consequitur ius tenendi librum nec ab eo separari potest. Quum igitur decretum Vicarii Capitalaris praesupposuerit et praeservaverit in Canonico Sacrista ius tenendi librum, ius quoque extrahendi attestaciones illi servavit. Quod si rariores, immo nullae evasurae sunt petitiones particularum in futurum tempus, eo quod suscepta Confirmatio iam adnotata prostabit in libro Baptizatorum penes singulos parochos, non inde immutabitur *ius*, sed tantummodo exercitium et consequens utilitas iuris. Nova autem praescripta quae huicemodi exercitium et consequentem utilitatem imminuunt non sunt ex arbitrio Vicarii, sed ex ipsa lege noviter data. Et si Canonici Sacrista suam possessionem his novis praescriptis turbatam contendit, dicere et probare debuisset proprium ius seu privilegium consistere non solum in iis tribus de quibus supra, sed etiam in *exemptione* a nova lege : quod absonum, eo ipso quia lex est nova. Si enim haec fuissent praescripta a iure antiquo et a parochis regulariter peracta, eorundem omissio a Canonico Sacrista Melphietensi naturam induisset exemptionis cuiusdam ; sed cum, nemine diffidente, sint praescripta nova, a Codice noviter dato in bonum commune inducta, turbatio iuris aut possessionis minime dicenda sunt : alioquin talia essent pro universis parochis in toto orbe terrarum.

Quum itaque a novis praescriptis exemptio ne concipi quidem possit, quumque exinde, ut ipse fuse persequitur Canonici recurrentis, ius sibi (rectius Capitulo Cathedrali) ex antiqua praxi competens, omni iam utilitate careat, immo vertatur in detrimentum non leve, propter sumptus sustinendos, plane consequitur praxim antiquam illam, quam theoretice sustineri posse post datum Codicem vidimus, practice urgendam



non esse, nisi bonum commune ita requirat. Aequum enim est neminem invitum gravandum esse quin gravamini respondeat quaedam congrua compensatio. In praesenti autem emolumenta, quae levius antiquum Sacristae onus compensabant, cessasse videntur, dum onus ipsum gravius evasit. Utilitas autem publica quae facilius apparebat quum, tempore inductae praxis, *unica* paroecia dioecesim efformabat (ita enim obtinuit usque ad a. 1663), nunc, aucto longius paroeciarum numero, minus manifesta videtur. Immo, sive agatur de confirmatis qui degunt in eadem paroecia in qua sunt baptizati (qui casus frequentior erit), sive diversa sit paroecia baptismatis et domicilii, necessarius interventus Canonici Sacristae superfluus inter parochos, multo magis quoad eundem parochum, apparet. Quibus plane consideratis, consultius videtur, abrogata antiqua praxi, ius commune Codicis etiam pro dioecesi Melphictensi in re de qua agitur urgere.

RESOLUTIO.—In plenario conventu diei 8 februarii 1919 E<sup>m</sup>i ac R<sup>m</sup>i Patres S. C. Concilii proposito dubio respondendum censuere :

*Recursum esse reiiciendum, et, attenta deliberatione emissam a Capitulo die 14 iulii 1918, applicetur ius commune.*

Factaque de praemissis SS<sup>mo</sup> D<sup>ño</sup> N. Benedicto Div. Prov. PP. XV relatione per infrascriptum S. C. Secretarium, Sanctitas Sua, in Audientia diei 9 subsequentis, datam resolutionem approbare et confirmare dignata est.

I. MORI, *Secretarius.*

## EXTENSION OF THE JURISDICTION OF THE AUSTRALIAN APOSTOLIC DELEGATE

(May 20, 1919)

SACRA CONGREGATIO DE PROPAGANDA FIDE

### DECRETUM

EXTENDITUR IURISDICTIO DELEGATI APOSTOLICI AUSTRALASIAE

Oecaniae Insularis remotas ac difficiles Missiones Apostolicas Delegatio Australiensis hucusque non attingebat : nullam proinde hoc tempore supradictae Missiones ex eiusdem Apostolicae Delegationis institutione utilitatem perceperunt. Quo vero satius multiplicibus iisque gravibus earumdem Missionum necessitatibus atque difficultatibus per Apostolici Delegati Australasiae auxilium et consilium in posterum provideretur, attentisque sive ipsius actu Apostolici Delegati sive nonnullarum ex dictarum Missionum Oecaniae Insularis praesulum precibus hunc in finem S. huic Congregationi Christiano Nomini Propagando nuperime oblatis, Summum Pontificem rogare visum est, ut iurisdictio Delegati Apostolici Australasiae, quae hucusque Australiam proprie dictam et Missiones Novae Zelandiae restrictivè attingebat, deinceps ad omnes quoque Missiones totius Oecaniae Insularis nec non ad illas, quae in insulis Malesiae erectae sunt aut in futurum erigentur, extendatur.

Quam quidem petitionem SSmo D. N. Benedicto divina Providentia, PP. XV in audientia diei 15 labentis mensis maii ab infrascripto S. huius Congregationis Praefecto humiliter oblatam, Sanctitas Sua benigne excipere dignata est, propositum consilium probavit ac ratum habuit, mandavitque ut Apostolica Delegatio Australasiae ad supradictas Missiones Oceaniae Insularis nec non Malesiae deinceps extendatur; atque praesens in re Decretum confici iussit.

Datum Romae ex Aedibus S. Congregationis de Propaganda Fide, die 20 maii, anno Domini 1919.

G. M. CARD. VAN ROSSUM, *Praefectus*.

C. LAURENTI, *Secretarius*.

L. ✠ S.

**DECREE FOR THE BEATIFICATION AND CANONIZATION OF  
THE SERVANT OF GOD, PAULA ELIZABETH, FOUNDRRESS  
OF THE INSTITUTE OF THE SISTERS OF THE HOLY  
FAMILY**

(May 14, 1919)

**SACRA CONGREGATIO RITUUM  
BERGOMEN.**

**DECRETUM BEATIFICATIONIS ET CANONIZATIONIS SERVAE DEI PAULAE  
ELISABETH IN SAECULO CONSTANTIAE CERIOLI VIDUAE BUZECCHI-  
TASSIS, FUNDATRICES AC PRIMAE MODERATRICES GENERALIS INSTITUTI  
SORORUM A S. FAMILIA.**

Inter nova Instituta, quae domesticam et civilem societatem religionis spiritu variisque caritatis operibus foveant et complectuntur, merito accensetur illud, quod, in dioecesi Bergomensi, circiter annum 1855 erectum, ab Apostolica Sede die 18 decembris 1901 adprobatum atque pueris utriusque sexus bonis moribus et arte agraria informandis destinatum, *Sororum a Sacra Familia* appellatur. Haec religiosa Sodalitas Sororem Paulam Elisabeth, in saeculo Constantiam Cerioli viduam Buzecchi-Tassis, suam fundatricem iucunda gratulatione agnoscit atque primam Moderatricem Generalem, singulari pietatis affectu, prosequitur. Haec Dei Famula, suam Familiam religiosam erigendam suscipiens, sibi suisque Sororibus perfectum exemplar validumque praesidium proposuit Sacram Familiam a Nazareth. Quod postremis hisce temporibus, valde opportunum ac salutare cuilibet humanae Familiae coetui et societati inculcare ac procurare voluit Summus Pontifex Leo XIII fel. rec. per Apostolicas Litteras *Neminem fugit* et *Quum nuper Nobis*, dierum 14 et 20 iunii 1892, quibus Ipse, suprema sua auctoritate, Piam Consociationem universalem a Sacra Familia de Nazareth nuncupatam constituit, specialibus legibus munivit atque privilegiis et indulgentiis pro universis Sodalibus ditavit. Sed, ut de vita Servae Dei, prout de more, aliquid innotescat, ex Processu Informativo Bergomensi plane constat quod Ipsa in oppido *Soncino*, Cremonensis dioecesis, e parentibus nobilitate et pietate conspicuis Francisco Cerioli et Francisca Corniani, die 28 ianuarii



anni 1816, in lucem edita est, eique in sacro fonte impositum nomen Constantia. A teneris annis se ostendit optimae indolis et ad virtutem, potissimum obedientiae, caritatis et religionis, valde propensam. Ad sacram Synaxim primitus admissa, quoties ad eam accedabat, peculiari mortificationis et solitudinis studio se disponebat. Decennis monialibus Salesianis a Visitatione concredita fuit, ut convenienti institutione educaretur; qua feliciter expleta, aetatem agens octodecim circiter annorum, paternam in domum rediit, studiis bonisque artibus instructa et a matribus suisque alumnis vehementer exoptata, secum retulit germina religiosae vocationis. Ex mystica arca, veluti altera columba prodiens, ita in mundo et inter domesticos parietes se gessit, ut nihil inquinati tangeret, simulque sensuum custodia, orationis fervore et sacramentorum frequentia vitae integritatem servaret. Proposito a parentibus matrimonio, ineundo cum nobili viro domino Buzecchi, haerede Comitum Tassis de Comonte, pia adolescentula, ad meliora carismata aspirans, primum adversatur. Enixis tamen iteratisque parentum consiliis humiliter ac generose cedit, et, divinam voluntatem ex eis agnoscens, novi status sacrificiis, potius quam deliciis, suscipiendis, paratam se exhibet. In coniugio, quod die 20 februarii anni 1835 rite celebratum est, Constantia, iuxta praecepta et monita Pauli Apostoli, viro suo subdita et obediens, in rebus etiam sibi minus congruis et iucundis, constanter eum diligebat et metuebat. Insuper, infirma valetudine laborantem, mansueta, patiens et sedula curare satagebat, vitam cum eo ducens in perfecta concordia viginti circiter annos. Optima materfamilias domi vigilans, suavis et prudens, famulos suos hortabatur, ut essent, sicuti monet Apostolus, 'servi Christi, facientes voluntatem Dei ex animo, cum bona voluntate servientes, sicut Domino et hominibus, scientes quod unusquisque quodcumque fecerit bonum, hoc recipiet a Domino.' E tribus autem filiis, quos illi Deus concessit, Carolum, die 16 ianuarii anno 1838 natum et unicum superstitem, christianae matris amore dilexit, eumque puerum in disciplina et correptione Domine educavit, grandiusculum vero et superioribus studiis idoneum moderatoribus Collegii Bergomensis S. Alexandria instituendum tradidit. Gymnasio laudabiliter expleto, in aetate sexdecim annorum, Carolus maternum gaudium in amarum luctum convertit. Nam, lethali morbo correptus, sacramentis Ecclesiae pie receptis, inter suae genitricis brachia spiritum Deo reddit, die 16 ianuarii anni 1854. Hoc etiam orbata filio, eius morientis extrema verba Constantia saepe recolebat: 'Consolare, mater, quia alios habebis in filios opibus meis sustendandos.' Paucos post menses etiam vir, ob gravem diuturnumque morbum ad extrema deductus et sacramentis roboratus, inter dilectissimae uxoris curas animam exalavit, eodem anno, in Nativitate Domini. Ita Constantia, matris et sponsae officiis vinculisque soluta, dum assiduas ad Deum preces pro suis caris defunctis effundebat, castam et beneficam viduitatem agebat, se suaeque bona impendens ad miseros egenosque orphanos sublevandos. Quum aetate, divitiis vitaeque commodis floreret, ad alias nuptias alliciebatur, etiam oblatas a nobili et egregio viro, sed eas prudenter renuit, ut se totam divino servitio

manciparet. Re quidem vera, annuentibus Iosepho Agneses, parcho oppidi de Comonte, et Episcopo Bergomensi Speranza, Dei Famula nonnullas orphanas pauperes et ruricolas in suum palatium cogere, vestire, pascere et instruere coepit; et, crescente earum numero, assumptis in adiutrices adolescentulis probatae virtutis, hoc opus pro orphanis internis et alterum cum Oratorio festivo pro puellis externis auxit et firmavit. Sic exortum est *Institutum a Sacra Familia* cum regulis a Fundatrice dictatis et ab Episcopo Speranza approbatis, die 1<sup>a</sup> novembris, in festivitate Omnium Sanctorum, anni 1856. Anno autem subsequente, die 8 decembris, in festo Immaculae Conceptionis Beatae Mariae Virginis, Sorores omnes induerunt habitum religiosum ab ipso Episcopo benedictum; et Constantia, quae appellari voluit Soror Paula Elisabetha, simul cum aliis, perpetuae castitatis, paupertatis et obedientiae vota emisit, adiecto altero omnia faciendi ad maiorem Dei gloriam. Dei Famula in fundatione Instituti hunc sibi suisque Sororibus religiosis et orphanis, quas *S. Ioseph filias* vocant, et puellis externis praestituit finem: amorem et imitationem Sacrae Familiae Nazarenae. Sub hac tutela, fama Instituti crebrescente ipsoque amplificato, novae domus apertae fuerunt in oppidis *Soncino*. *Leffe* aliisque in locis. Insuper, spiritu et fine suae vocationis acta et caritate Christi urgente, post varias difficultates, consilio et opere Superiorum suaeque constantia et oratione superatas, die 4 novembris anni 1863 primam domum aperuit, prope vicum *Villa Campagna*, dependentem a *Soncino*, pro pueris orphanis ac derelictis instituendis in timore Dei et in operibus agriculturae. Quam domum dirigendam commisit Ioanni Capponi, iuveni honestis religiosisque moribus et ex communi aestimatione ad rem idoneo, qui expectationi et fiduciae Superiorum optime respondit, adhibita etiam in Missionibus pro agricolis opera sacerdotum et coadiutorum a Sacra Familia nuncupatorum, qui eandem habent fundatricem. Institutum ita efformatum magisque in dies progrediens, auctoritatis ecclesiasticae et civilis favorem, laudem et approbationem iugiter obtinuisse perhibetur. Interim Famula Dei, virtutum exercitio et caritatis operibus se perficiens, vitam ducit in Christo absconditam cum humili simplicitate; et regulas, exhortationes ac monita Sororibus, orphanis et puellis scribit et tradit, veluti extremum ac perenne sui amoris suasque sollicitudinis pignus et memoriam. Morbus enim cardiacus, quo ipsa laborabat, invalescens, sub vespere diei 24 decembris anni 1865, sacramentali confessione peracta et ad sanctam Communionem, una cum Sororibus, die sequenti recipiendam, bene disposita, inopinato acriori morbo correpta e vita migravit, eodem anno, in ipso pervigilio Nativitatis Domini. Per triduum exuviae omnibus expositae manserunt, ut satisfaceret fidelium turmatim affluentium votis et, solemnibus exequiis rite persolutis, conditae fuerunt in sacello gentis Piccinelli, penes *Seriatae*. Ipsae autem, die 28 novembris anni 1885 rite recognitae et in pagum *Comonte* translatae, ibidem in domo Instituti depositae quiescunt. Sanctitatis fama, qua Serva Dei vivens pollebat, post obitum magis clara et constans, ecclesiasticam Curiam Bergomensem ad Processum Informativum super ea conficiendum induxit. Quo inchoato et absoluto, ad



sacram rituum Congregationem transmissio, Acta necessaria et opportuna ad quaestionem de Causa introducenda parata sunt. Quumque omnia in promptu sint, instante Rñno Dño Ioanne Biasiotti, clerico praelato Rev. Camerae Apostolicae et huius Causae postulatore, attentisque litteris postulatoriis quorundam Eñorum S. R. E. Cardinalium, plurium Archiepiscoporum et Episcoporum, necnon Capitulorum, Ordinum et Congregationum religiosarum atque illustrium virorum ac mulierum. Eñus et Rñus Dñus Cardinalis Ianuarius Granito Pignatelli di Belmonte, Episcopus Albanensis et eiusdem Causae Ponens seu Relator, in Ordinariis sacrorum rituum Congregationis comitiis subsignata die ad Vaticanas aedes coadunatis, sequens dubium discutiendum proposuit: *An signanda sit Commissio introductionis Causae, in casu et ad effectum, de quo agitur?* Et Eñi ac Rñi Patres sacris tuendis ritibus praepositi, post relationem ipsius Eñi Ponentis, audito voce et scripto R. P. D. Angelo Mariani, Fidei promotore generali, omnibusque accurate perpensis, rescribere censuerunt: *Signandam esse Commissionem introductionis Causae, si Sanctissimo placuerit.* Die 13 maii anni 1919.

Facta postmodum de his Sanctissimo Domino nostro Benedicto Papae XV per infrascriptum Cardinalem Sacrae Rituum Congregationi Praefectum relatione, Sanctitas Sua Rescriptum eiusdem Sacrae Congregationis ratum habens, propria manu signare dignata est Commissionem Introductionis Causae beatificationis et canonizationis Servae Dei Paulae Elisabeth, in saeculo Constantiae Cerioli, viduae Buzecchi-Tassis, Fundatricis ac primae Moderatricis Generalis Instituti Sororum a Sacra Familia, die 14, eisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

ALEXANDER VERDE, Secretarius.

L. ✠ S.

## RE-EXAMINATION OF A DECISION IN A MATRIMONIAL CASE BY THE APOSTOLIC SIGNATURA

(May 31, 1919)

SUPREMUM SIGNATURAE APOSTOLICAE TRIBUNAL

PADERBORNEN.

NULLITATIS MATRIMONII (DE LAFFERT-BARTELS)

*In plenaria Supremi Tribunalis Sessione apud Vaticanum habita die 10 mensis maii 1919 Eñorum Patrum examini subiectus est recursus dominae Olga De Laffert, adversus sententiam a Sacra Romana Rota latam in causa de qua supra die 27 iulii 1917, ad obtinendam nullitatem dictae sententiae. Relatore autem Eño ac Rño Card. Donato Sbarretti, propositis dubiis, scilicet:*

(1) *Sitne nulla Rotalis sententia in casu et sitne locus eius circumscriptio?*

*Et quatenus negative.*

(2) *Sitne locus restitutioni in integrum in casu?*

EE. PP. responderunt

*Remittatur quaestio pro novo examine ad S. Romanam Rotam; et extendatur decisio.*

*De expensis denique iudicialibus Supremum idem Tribunal decrevit eas ab Actrice esse sustinendas.*

*Decisio itaque est prouti sequitur:*

Die 14 aprilis anni 1899, in Castello Lhesen, apud Wittenburg, coram ministro acatholico matrimonium inierunt Carolus Bartels et baronissa Olga von Laffert, sectae luteranae-evangelicae addicti. Dissidia et iurgia post matrimonium inter coniuges non semel fuerunt; et quamvis bina nata fuisset proles, non dubitavit mulier, anno 1907, maritalem deserere domum. Frustra vir eam adnixus est invitare, imo et legis ministerio adigere, ut ad eum reverteretur: non cessit mulier.

Ea propter vir adactus fuit divortii sententiam flagitare a laico tribunali civitatis Bielfeld, quae re vera lata est contra mulierem: *La convenuta viene dichiarata come parte colpevole*, sub die 11 martii anni 1909. Qua sequuta, Olga civiliter copulata est viro catholico baroni Adolpho von Spiegel.

Exinde tamen necessarium visum fuit novis coniugibus legitimum inter se iniri matrimonium. Ast praecedens oportebat abrumperere vinculum. Et mulier, nulla interposita mora, ad hoc, tribunalis Ordinarii Curiae Paderbornen. iudicium provocabit, ex capite *vis et metus*. Sed vix ab exordiis haec ab Olga deducta actio, forte temeraria visa fuit, ita ut et instantia et informationes praeviae in archivio Curiae sepultae remanserint, cum ex causae actis nihil resultet.

Quadriennio post, anno 1913, baronissa von Laffert rescivit sui primi coniugii nullitatem peti posse ex alio titulo, scilicet *ex defectu consensus*, cum ipsa asserat quando Carolo nupsit consensum dedisse cum conditione *contra bonum Sacramenti*, i.e. foedandi per divortium matrimonium. Quod et fecit. At spe frustrata est; nam, discussa causa apud Curiam episcopalem Paderbornen., die 5 augusti 1914 sententia lata est favore vinculi, sub his verbis: *Vien dichiarato come giusto che il matrimonio concluso il 14 aprile 1899 tra Carlo Bartels ed Olga di Laffert non può essere considerato come invalido.*

Ah hac sententia appellavit mulier ad S. Romanae Rotae Tribunal, in quo disceptata causa fuit, etiam cum suppletiva actorum inquisitione. Sed tandem, die 27 iulii 1907, etiam S. Rotae Auditorium sententiam dedit vinculo amicam, dixitque *Non constare de matrimonii nullitate.*

Die vero 26 novembris 1917 pro parte actricis recursus datus est penes Supremum hoc Signaturae Apostolicae Tribunal, ut Rotalis sententia *nulla vel circumscripta* declararetur, aut, sin minus beneficium impertiretur *restitutionis in integrum*, ex eo quod *violata lex* fuerit *factumque perversum.*

Itaque, constituto Vinculo defensore, eiusque habitis animadversionibus, die 10 maii 1919, causa, referente Eñño P. D. Donato Card.



Sharetti, in plenaria Sessione Eñorum Patrum H. S. T. pertractata est, et decisio prodiit : *Quaestio remittitur ad S. R. Rotam pro novo examine ; et extendatur decisio.*

Quamvis in indicando de re agatur acta et deducta ante novi Codicis promulgationem, seu eo nondum vigente, iura tamen tunc praesentem quaestionem regulantes cum novi Codicis dispositionibus concordant.

Eminentissimi Patres itaque imprimis animadverterunt quod sententia rotalis impugnata non laboret vitio nullitatis *insanabili*, de quo in can. 1892 novi Codicis, neque vitio *sanabili*, de quo in can. 1894, quae iudicis iurisdictionem vel processus formam aut sententiae requisita respiciunt. Non defuit enim citatio, neque mandatum, neque iurisdictio ; adfuit vinculi defensor (can. 1586, 1967 sq.) atque sententia cum motivis seu rationibus decidendi lata est, riteque subscripta, cum praescriptis indicationibus, prout in can. 1873 sqq. Recursus de his non loquitur. Quod autem asseritur violatam legem fuisse, hoc quidem nullam sententiam reddidisset, nam regulariter quidquid fit contra ius, nullius roboris est (c. 8, *De sent. et re iud.*, Reg. 64 *Iur.*, in 6°).

Porro lex quae violata fuisset, iuxta recursum H. S. T. oblatum, haec est, dispositio nempe iuris, qua edicatur quod, in causis matrimonialibus, 'consanguinei et affines habentur testes habiles in causis suorum propinquorum' (Instr. *Cum Glossa*, S. Congr. Conc., sub die 22 augusti 1840; can. 1974 novi Codicis). Sed, in hoc, Eñi Patres iudicarunt sententiam rotalem legem servasse, quia non solum consanguineos et affines actricis testes habiles censuit S. R. Rota, quos in Curia Paderbornen. Iudex excusserat, sed etiam eorum iussit suppletivam haberi auditionem. Ideoque obiecta legis violatio, in casu, minime fuit, seu sententia lata non est contra *ius constitutionis*.

Ad alteram nullitatis rationem quod attinet, seu circa *factorum perversionem* ; si hoc fecissent iudices rotales, utique circumscribenda lata sententia foret, quia quoties iudicium profertur super errore substantiali, ex *facto perverso*, idem est ac si latum fuisset super documentis corruptis, vel super falsis testimoniis (cap. 1 *et de sent. et re iud.* ; Lega, *De Iudic.*, par. I : n. 700 ; Santi-Leitner, *Prael. Iur. Can.*, lib. II, tit. XXVII, n. 15 ; Pirhing, h. t., n. XLIII). 'Iam vero nomine perversionis [factorum] huiusmodi profecto venire non potest quilibet error in quem sive in percipiendis sive in aestimandis factis inciderint inferiores iudices, sed significatur tantum—attenta quoque ipsius vocis genuina vi—talis factorum corruptio quae iudicum mentem in edenda sententia a veritate agnoscenda prorsus abduxerit' (H. S. T. *In una Salutarum, Iurium sive nullitatis sententiae notalis*, 13 maii 1916). Super quo explicite declarata fuerat H. S. T. competentia, videndi scilicet recursus datos adversus rotales sententias, quae factorum veritatem pervertisse accusarentur (*Chirographo* Benedicti XV, diem 28 iunii 1915).

Rekursus dicit iudices rotales in hoc arguendos esse de *facti perversione* et legis violatione, quod depositiones testium, favore actricis factas, suspectas dixerunt, ex sola qualitate propinquitatis, aut amicitiae,

aut religionis, non ex iuridica et rationabili exceptione: *La sentenza rotale, dopo aver escluso come non idonei i testi che seppero dell'intenzione di far divorzio dopo il matrimonio, di tutti quelli che lo seppero prima, e quindi in tempo non sospetto, si sbarazza disinvoltamente così: 'Hi testes consanguinei sunt, domestici et amicitiae vinculo coniuncti, et, quod gravius est, omnes protestantium sectis addicti, iuxta quas matrimonii institutum certis in adiunctis solubile creditur suspicio proinde adest eos voluisse morem gerere Olgae, ut legitimo vinculo cum viro nobili ac divite possit ligari.'*

Legitur item in rotali sententia: '*Olga de Laffert in suo libello introductivo dicit se, cum non potuisset, obsistentibus parentibus, abrumper e sponsalia inita cum D. Bartels, matri declarasse: Io lo sposo perchè comprendo che non posso fare altrimenti: io lo devo fare, ma solo con la condizione che voi altri non farete nulla contro il mio divorzio e nuovamente mi riprenderete in casa: temo che questo giorno verrà presto. Et prosequitur: Mia madre la assicorò, ed io che sentivo che quest'uomo (Bartels) non si sarebbe più cambiato, fui d'intenzione di separarmi da lui alla prima occasione, che io credevo che egli mi avrebbe presto procurato, e precisamente per reciproca antipatia. Mi sono espressa con diversi in questo senso. At quod actrix asserit, concludenter non probavit, nam si tabulae processuales attenduntur, prudens exstat dubium de opposito, quod sufficit iuxta instructionem S. Officii 1883, § 39, ut iudicium contra matrimonium, quod factum publicum et solemne est, non pronuntietur.'*

Ex quo apparet quod iudices rotales tabulas processuales sedulo considerarunt; et ex his, uti in sententia impugnata legitur, contradictiones actricis et exaggerationem illius matris, circa Olgae intentionem foedandi coniugium per divortium, atque circumstantiam ignorantiae huiusmodi intentionis, pro parte testium, qui catholicam profitentur Religionem. Unde eisdem iudicibus '*credendum fuit quod naturae negotii convenit et quod inimicitiae aut gratiae suspicione caret, confirmando motum animi sui ex argumentis et testimoniis, quae rei aptiora esse compererunt*' (cap. 3, Con. IV, Quaest. II et III). Itaque quia '*Probationes aestimare iudex debet ex sua conscientia,*' et, in casu, iudices rotales moralem non habuerunt certitudinem, quae requiritur ad pronuntiationem cuiuslibet sententiae (can. 1869), prorsus, legi conformis dicenda est impugnata sententia, qua *non constare* edicatur *de matrimonii nullitate*. In Instr. S. C. de Prop. Fide, data anno 1883, § 40, praecise hoc iudicibus matrimonialium causarum praeceptum est: '*Ceterum in hac re iudex sciat matrimonium esse per se factum solemne et publicum, quod de per se validum censi debet, nisi evidentes rationes eiusdem nullitatem demonstraverint. Ideo curandum quidem omni studio atque diligentia, ut rationes istae colligantur, sed iudicium contra matrimonium numquam erit pronuntiandum nisi eorum complexio omne prudens dubium de existentia impediementi excludat.*'

Quapropter Eñi Patres censuerunt quod sententia rotalis impugnata, cum nec factum perverterit, nec legem violaverit, neque nullitate laboret, neque gladio circumscriptionis iugulanda est. Etenim '*odiosissima*



profecto res a lege traducitur circumscriptio, et acerbissimum putat illud omne delere quod coram Iudice factum est . . . si qua nimirum esse potuerit vel remotissima dubitatio, concedenda ne sit an deneganda circumscriptio, lex quidem imperat ut acta valere respondeamus' (*Sign. Aust.*, Decis. 25 ianuarii 1888, *Fabrianen. seu Lauretana, Circumscriptionis*, coram Lippi, n. 11).

Quoad alteram recursus partem, animadverterunt Eñi Patres iura semper privilegiatas habuisse causas matrimoniales ita ut numquam in rem transeant iudicatam, semperque retractari possint, servatis servandis (cap. VII, *de sent. et re iud.*; Const. *Dei miseratione*, § XI; novi Codicis, can. 1903 et 1989); ideoque cum *Restitutio in integrum* remedium sit extraordinarium, praesertim adversus sententias, quae in rem iudicatam transierint (can. 1905), in hac re locum habere non posse dixerunt. Attamen perpendentes iidem Eñi Patres quod in hac causa forsitan depositiones minus aestimatae fuerint quam meruissent; quodque actrix, per suum procuratorem, dicat (*Restr. Resp. ad animadversiones Vinculi Defens. H. S. T., circa fin.*) sibi praesto esse alios testes ad probandam suam intentionem foedandi matrimonium, quos inter Parochum catholicum *Müschen*; et considerando ideo conditionem adesse a iure requisitam (cit. Const. *Dei miseratione* et novus Codex, can. 1903 et 1989), scilicet causas matrimoniales semper retractari posse, quoties nova eademque gravia argumenta vel documenta proferantur, consueverunt remittendam esse quaestionem ad S. R. Rotam pro novo examine.

In expensis autem iudicialibus Supremum idem Tribunal decrevit eas ab actrice esse sustinendas.

Atque ita editum est, pronunciatum, decretum, declaratum ac definitive iudicatum, mandatumque ut haec definitiva sententia publicè iuris fieret, et ab omnibus ad quos spectat exsequutioni mandaretur; non solum, etc.; sed et omni, etc.

Datum ex aedibus Supremi Tribunalis, die 31 maii 1919.

IOSEPHUS FAMELI, *Signaturae Votans.*

VISA

EVARISTUS LUCIDI, *S. A. S. T. a Secretis.*

IOSEPHUS ADV. FORNARI, *Notarius.*

L. ✠ S.

**LETTER OF THE HOLY FATHER TO THE GERMAN BISHOPS  
URGING THE RESTORATION OF THE WORK OF THE  
CHURCH IN GERMANY AFTER THE SANCTION OF THE  
PEACE TREATY**

(July 15, 1919)

ACTA BENEDICTI PP. XV  
LITTERAE APOSTOLICAE

AD GERMANIAE EPISCOPOS: PACE TANDEM SANCITA, OPPORTUNA MONITA  
PROFERT QUIBUS, CATHOLICAE ECCLESIAE OPERA, QUAMPRIMUM BELLII  
DAMNA RESARCANTUR

BENEDICTUS PP. XV

Venerabiles fratres, salutem et apostolicam benedictionem.—Diuturni  
luctuosissimique belli tandem nationi vestrae finis illuxit; pace sancita,

obsidio illa maritima tandem sublata est, quae tam multos, belli nullo modo particeps, istie praesertim interemit. Quapropter, venerabiles fratres, Nos, qui, utriusque partis belligerantes paterno animo complexi, nihil reliqui fecimus quod vel ad tantum incendium extinguendum vel ad eius miserias minuendas pertineret, singulares Deo omnipotenti grates vobiscum universaque cum gente vestra persolvimus.

Iam hoc agitur apud vos, ut immensa belli damna quamprimum resarciantur: quam quidem ad rem, quoniam nihil tam valet quam Ecclesiae Catholicae opera, cui divina gratia accesserit, ideo has dare ad vos litteras constituimus.

Primum, ne in Germania perturbationes publici ordinis erumpant, quae possunt eidem atque adeo ipsi Europae exitium afferre quod aliis nationibus dolemus imminere, omni ope nitendum est, ut quae ad victum necessaria sunt populo suppetant. Ob hanc causam vos, venerabiles fratres, parochis adhibitis ceterisque de clero, quibus maior est cum populo consuetudo, fidelibus, qui agros incolunt, instabitis ut, quantum parendo possunt, tantumdem cibariorum urbanis fame laborantibus praebere ne recusent. Id omnino in hac summa necessitate temporis lex iubet caritatis; quae si omnes, vel inimicos, complectitur, eos vult peculiari modo a nobis diligi, quibuscum communis patriae vinculo coniungimur. Insuper confidimus fore ut quotquot sunt homines cultarum nationum, maximeque catholici, isti populo, quem ad extrema redactum scimus, opitulari maturent, non modo periculorum metu, verum etiam eiusdem humanae familiae communione et christianae caritatis necessitudine adducti. Illud enim semper meminisse omnes debemus quod sanctus Ioannes Apostolus clamat: 'Qui habuerit substantiam huius mundi et viderit fratrem suum necessitatem habere et clauserit viscera sua ab eo, quomodo caritas Dei manet in eo? Filioli mei, non diligamus verbo neque lingua, sed opere et veritate' <sup>1</sup> (*Epist. I, III, 17-18*).

Deinde, venerabiles fratres, omnem sacri muneris auctoritatem unusquisque vestrum convertat oportet ad sananda ea, quae bellum nationi vestrae peperit aut exasperavit, vulnera animorum. In quo potissimum labes abolenda erit odii cum adversus externos quibuscum dimicatio fuit, tum inter cives quos partium studia dissociant; atque eius loco excitanda, quae a Iesu Christo est, fraterna caritas, cui nulli sunt fines populorum, nulla inter civium ordines certamina. Quod nuper in sacro Consistorio significavimus, illud ipsum hic iteramus votum, 'ut homines populi que inter se vinculis denuo consocienter christianae caritatis, quae si desit, omnis de pace conventio frustra erit.'

Vos profecto, venerabiles fratres, ut pastores boni iidemque pacis caritatisque administri, omnem vestram diligentiam industriamque in hac causa adhibebitis, non cessantes communibus cum clero populoque vestro precibus propitium implorare Deum. Quod ad Nos attinet, vobis in hoc patriae vestrae summo discrimine non sane defuturi sumus; sponte enim paternus animus illuc fertur studiosior, ubi filiorum est necessitas maior, exemplo nimium amantissimi hominum Redemptoris, qui, multitudinem graviter laborante commotus, memorabilem illam edidit vocem:



## SIGNIFICANCE AND VALUE OF THE DIVINE NAMES

BY REV. P. P. McKENNA, O.P.

As the question of the Divine names is closely associated with our knowledge of God, St. Thomas devoted twelve articles in his *Summa Theologica* to this all-important subject. His treatment of the matter is, in great measure, based on the nature and validity of our concepts of God. The names which we use in addressing Him, or in speaking of Him, are the sensible expressions of our thoughts, so that the Divine names are not arbitrarily applied to God but are based on the psychic value of our thought-terms. They possess, therefore, not only a logical but also a psychological value, which is more or less perfect according as they, in a greater or less degree, express the more or less perfect concepts which we form of God. To the name *God* St. Thomas devotes three articles.<sup>1</sup> This name, which is in Latin *Deus* and in Greek *ὁ θεός*, expresses for us, though imperfectly, the Divine nature. Etymologically considered, the word connotes activity or action, whether the Greek name, of which the Latin is only a form, is derived from *θεάσθαι*, the aorist of *θεάομαι* (*I see*), or from the infinitive *αἰθεῖν* (*to burn*), or *θεῖν* (*to take care of*), as representing an act of Divine Providence. In its use, however, the original connotation of the term is lost, so that those who use it do so, not to express an operation of the Deity, but the nature or substance of the Supreme Being, Who, indeed, knows and loves us, and Who provides for our well-being, temporal and eternal.

But if this name expresses the Divine nature how explain the fact that it is communicable? Its application is governed by certain laws of thought, and if the extension of the name is not in keeping with those laws it becomes at once false and misleading. Now, the Divine nature,

<sup>1</sup> St. Thomas, p. 1, q. XIII, aa. 8, 9, 10.

except in the Blessed Trinity, in which it is communicated from Father to Son, and from Father and Son to the Holy Ghost, is incommunicable. If this is so the name which expresses for us the Divine nature should be incommunicable also, and should never, it might seem, be used except in its application to the Divinity. But we apply it to creatures, and even Sacred Scripture sanctions its use in this connexion. Thus we read : ' I have said you are gods ; and all of you sons of the Most High.'<sup>1</sup> Our Lord quoted this text of the Psalmist, and used it as an argument in defence of His claim to Divine Sonship.<sup>2</sup> Furthermore, the name was frequently applied by the sacred writers to pagan idols.<sup>3</sup>

St. Thomas, in explaining this extension of the term, says that its meaning is changed when thus applied to creatures and to pagan idols. The use of the term in this way is justified because of a certain analogy between this, its secondary use, and that which it bears when applied to the Supreme Being. It would, therefore, be misleading to think that the term, in its application to the Deity, to angels or men, and to the idols of the pagans, rests on mere equivocation, for in the use of equivocal terms there is no necessary inter-relation of meaning between the terms in their varied application. Thus there is no obvious relativity of meaning between the Latin terms *mando*, ' I give a commission,' and *mando*, ' I chew ' ; nor in English between different meanings of the word *hatch*. But, in the varied use of the term which is primarily applied to the Divinity there is preserved a relationship and analogy of meaning, just as in the use of the term *Napoleon*, when we apply it not only to the First Emperor of the French, but also to anyone remarkable for his military or strategic skill. In this way the names which are used primarily of the Deity are extended to creatures, not by mere equivocation, but by analogy.<sup>4</sup>

If we seek for an explanation of this analogy in the application of the term to man, it is not difficult to find. God said, as we read in the Book of Genesis, ' Let us make

<sup>1</sup> Ps. lxxxi. 6.

<sup>2</sup> John x. 34.

<sup>3</sup> As a slang term the name is also applied to the occupants of an upper gallery in a theatre. Their elevated position suggests the reason of this analogical use of the term.

<sup>4</sup> Cf. St. Thomas, l.c., aa. 9 and 10.



man to our image and likeness.<sup>1</sup> In the natural order of creation this image was impressed in man when God breathed into him a human soul and gave him intelligence and free-will. But man was not only made to the image of God, so as to know and love Him as his Creator, he was, furthermore, rendered capable of a higher and more intimate relationship with God, through grace. By grace, a human act, although elicited by a finite being, bears as close a resemblance as is possible to the vital act which belongs to God Himself. The tendency of this finite act is ultimately to unite man with God in the Beatific Vision. Its object is one and the same as that which contributes to the vision and happiness of God Himself; for although in Heaven the Blessed preserve their identity and vital activity yet the Divine Essence enters as a principle in this vital act. From this we can see with what reason Sacred Scripture refers to rational beings as gods.

But one may ask, how is the analogy preserved in the case of pagan idols, especially as they are designated *demons*, not only in Christian history, liturgy, and theology, but also in Sacred Scripture?<sup>2</sup>

To justify the extension of the term to pagan objects of worship, it is necessary to remember that the name is applied to pagan idols in the sense in which it was used by the pagans themselves. To the pagans the object of their worship was considered by them as a being interested in their welfare, and as such worthy of their reverence and veneration. On the other hand, whenever the term *demon* is applied by Christians to pagan idols it expresses what the Christians themselves believed the objects to represent in reality, and not what the pagans professed them to be.

There is, however, one name applied to God which is known as the *ineffable* or *incommunicable name*, and which cannot conveniently be extended in its use, even by analogy. This is the name which God revealed to Moses when the latter asked Him by what name he should make Him known to the Israelites. God told him to say to the

<sup>1</sup> Genesis i. 26.

<sup>2</sup> The term used in this connexion in the Hebrew text of Scripture is *Elohim*. This name is also applied in the Old Testament to judges, kings, and perhaps to angels. When applied to God it is generally used with a verb in the singular number. According to Père Lagrange it and its singular *Eloah* are derived independently from the primitive form *El*.

Hebrews, if they asked him for credentials of his mission, that *He Who is* hath sent me to you.<sup>1</sup>

This name, *Who is*, is identical with the Hebrew *Jehova* or *Jahveh*. It is an archaic Hebrew noun, derived from a third person imperfect of the Hebrew verb signifying *to be*, so that *He Who is* or *Jehovah* denotes One whose chief characteristic is *to be*. No word could so well express the Divine nature as this one derived from the Hebrew *háyâh*. It denotes, as far as human language will permit, incommunicable being or pure existence, or, as the scholastics designated it, *ipsum esse*.

It is true, indeed, that some exegetes, mainly Protestant, understand the term in an historic rather than a metaphysical sense.<sup>2</sup> One reason alleged for this view is the use of the imperfect of the verb *háyâh*, which is always, they say, predicated of God as manifesting Himself to His creatures, so that the word in consequence should connote action under time conditions. Besides, the Hebrews, it is said, could not have understood the word in an absolute and metaphysical sense.

To meet these difficulties it is well to remember that the imperfect in Exodus iii. 14 has the meaning of an aorist, a tense which can express the action of a verb independent of time conditions.<sup>3</sup> And even though the Jews did not understand the full metaphysical significance of the term, it was enough if God revealed it to Moses, especially as He was revealing it for all time.

*Jehovah*<sup>4</sup> was the sacred and ineffable name which, according to Rabbinical tradition, the Jews were never known to mention in conversation. Its use, we are told, was reserved to the High Priest, who was permitted to pronounce it in the Temple on the Feast of the Atonement, or, if used by the other priests, as Maimonides testifies, only in the sanctuary and while imparting the blessing to the people. It was not without reason, therefore, that the Greek Fathers designated it the *ὄνομα ἄρρητον*, the *ἄφραστον*

<sup>1</sup> Exodus iii. 14.

<sup>2</sup> Some, with Le Clerc, Schrader, Baudissin, and Legarde claim that *Jahveh* is the imperfect hiphil which gives to the name a causative meaning, such as Creator (Schrader), or One who is faithful to His promises (Legarde). This opinion, however, is not in keeping with that of the best philologists and exegetes.

<sup>3</sup> In Hebrew the perfect, future or imperfect do not mark the distinction of time as we understand it, but only its degree. The Hebrew imperfect is often, in consequence, translated by a verb in the present tense.

<sup>4</sup> In this article we prefer to retain the traditional form of the sacred name.



or ἀλεκτον, and the Jews *the great and terrible name, the separate name, and even the name.*<sup>1</sup>

There is a difference of opinion regarding the pronunciation of this sacred name, for the early Jews did not use vowel points in writing. Besides, it is alleged that the name ceased to be used after the destruction of the Temple of Jerusalem. Ancient authors give us different forms of the word in Greek. Thus Diodorus of Sicily and Origen give us the form *Jao*; Clement of Alexandria writes it *Jaou*; Irenæus gives the form *Jaoth*; and the pseudo-Jerome the form *Jaho*. These different forms do not give us any certainty regarding the Jewish pronunciation of the word, although it is significant that the first vowel of these various forms is Alpha.<sup>2</sup> The vowels of the Samaritan *Jabe*, however, most of all, give the key to the pronunciation accepted by modern scholars.

Some of those who contend that the form of the sacred name is *Jehovah* rather than *Jahveh*, appeal to the Apocalypse i. 4 and iv. 8, where the words *He who is and was and shall be* give us, they say, a paraphrase of the sacred name *Jehovah*. This paraphrase serves to explain the *Jehovah* form, which is, as some assert, an abbreviation of the imperfect *yêhi*, the participle *howêh*, and the perfect *hâwâh*, all parts of the verb *to be*. But the explanation is not supported by instances of grammatical analogy. Besides, the Greek future in Apocalypse i. 4 and iv. 8 is ὁ ἐρχόμενος or *The coming One*, and not ὁ ἐσόμενος, *The One that shall be*. The future is therefore omitted in Apocalypse xi. 17,<sup>3</sup> where the sacred writer supposes Our Lord to have already come, thus pointing to the Messianic character of the text.<sup>4</sup>

Again, *Jahveh* rather than *Jehovah* assorts better with the form *Jah* of the sacred name, which occurs in the Old Testament, and also, as we have already seen, with the pronunciation *Jabe*, which has been preserved for us in Samaritan tradition. Besides, the form *Jehovah* can be accounted for by the use of the vowels of *Adonai* in

<sup>1</sup> The Samaritans in their Pentateuch substituted for *Jehovah*, *Shema*, *the name*.

<sup>2</sup> In the pre-Christian Aramaic documents found in the island of Elephantine the name appears written with Yod, He, Waw, to be pronounced, probably, Yahô or Yahû.

<sup>3</sup> The Vulgate adds 'et qui venturus es.'

<sup>4</sup> Cf. Maas, *Cath. Ency.*, vol. viii. pp. 329, sq.; Smith, *Dictionary of the Bible*, 1863, vol. i. p. 955.

conjunction with J H V H, for, in conformity with Hebrew usage, the *Sheva* only of the composite *Sheva-pathach* of Adonai is used as initial vowel of the *Tetragrammaton*.<sup>1</sup>

The *ineffable name* often occurs in the Old Testament,<sup>2</sup> but the Greek word substituted for it in the Septuagint and Vulgate is not a translation of *Jehovah* but of *Adonai* (*Lord*), the equivalent of the Arabic *Allah* and the Syriac *Morio*. Besides, in the Hebrew text the vowels of *Adonai* are used with J H V H, although when *Adonai* is written with *Jehovah* the vowels used with the latter are those of *Elohim*.

Various attempts have been made to explain the origin of this sacred name. Some writers, with Von der Alm, Goldziher, and Colenso, claim that it is of Chanaanitish origin. But the use of a common name for their deities could scarcely be reconciled with the continued enmities existing between the Jews and the Chanaanites. Besides, the theory rests on the false supposition that the name was introduced much later than the time of Moses. Hamaker, indeed, claimed to see a connexion between *Jehovah* and certain Chanaanitish and even Hethite, Amorite, and Jebusite names. But if a similarity exist it can be explained on the supposition that the names used by these peoples were of Hebrew origin.

Vatke and Müller made an attempt, but without much success, to connect *Jehovah* with *Jupiter-Jovis*, or with the Greek *Zeus-Dios*. They thought to find a common origin for the Hebrew *Jehovah* and the Indo-European names just mentioned, in the Sanscrit root *div*. But even though a similarity exist between these names this explanation of the origin of the Hebrew name is not convincing. No less arbitrary is the theory of Röth, who sees a connexion between *Jehovah* and the Egyptian moon-god *Joh*, while the alleged identity of Exodus iii. 14 with the inscription

<sup>1</sup> This appears to be the true explanation of the *Jehova* form, and the oldest record which we have of its use is found in the *Pugio Fidei* of the Dominican, Raymund Martin. It was originally taken from the Massoretic text, and was subsequently popularized by the *Reformers*.

<sup>2</sup> It is found most frequently in the Pentateuch, Judges, Kings, the Psalms, and major Prophets. With *Elohim* it seldom occurs except in Genesis. Ezechiel mentions *Adonai-Jehovah* 216 times, while Zachary has *Jehovah-Sabaoth* 61 times. In Job the Divine names most in use are *Elohim* (15 times), *Eloah* (41 times), *Shaddai* (31 times), and *El* (55 times). In the Aramaean parts of Jeremias, Daniel and Esdras the Divine names used are *Elah* and its plural. Cf. Vigouroux, *Dict. de la Bib.*, tom. iii, p. 1222.



on the statue of Athene in the atrium of the temple of Isis<sup>1</sup> has been refuted by Tholuck.<sup>2</sup> The view, which claims a Chaldean origin for the name *Jehovah*, is untenable, and as Père Lagrange shows, the Jews themselves did not at any time, not even when they offered their children to *Malik* (*Moloch*), identify their God with this national deity of the Chaldeans.<sup>3</sup>

The only satisfactory explanation of the origin of the present form of the sacred name is the traditional one which claims for it a Hebrew origin, and that at least its full significance was revealed to Moses on Mount Horeb. It is not improbable, however, that a common element of the Divine name, known to the immediate posterity of Adam, remained in the names used by different peoples, even when they had fallen away from God and began to worship strange gods. Indeed, it seems certain that the sacred name *Jehovah* was not revealed for the first time to Moses, but only its full significance. This opinion is held by Rosenmüller, Hengstenberg, Cajetan, and others. The name of God, when it occurs in Genesis, expresses, according to this view, the knowledge of it as a proper name. In Exodus, however, it is more than a mere appellative, for, as revealed to Moses, it expressed the essential attributes of the God of the Covenant. Hence, Maimonides understands it as signifying essence and truth. For this reason it is not necessary to explain the use of the name *Jehovah* in Genesis as a case of prolepsis or anticipation on the part of the sacred writer, but rather that the name was in use and spoken by the persons represented as using it.<sup>4</sup> How the Divine name was pronounced by the early patriarchs we cannot say for certain, especially as Hebrew is only one of the languages spoken after the breaking up of the human family and its division in the use of divers tongues. On the other hand, God expressly told Moses that He was the God of Abraham, Isaac and Jacob, and was only known to them as *El Shaddai* (*God Omnipotent*). But He was certainly known to the Patriarchs as *Elohim*. It should follow, therefore, that in limiting the Patriarchs' knowledge of sacred names to *El Shaddai* God was referring

<sup>1</sup> Cf. Plutarch, *De Iside*, 9.

<sup>2</sup> Cf. Vigouroux, l.c., p. 1229.

<sup>3</sup> *Religions Sémitiques*, 1905, pp. 100 et seq.

<sup>4</sup> This point is important, as the so-called higher critics profess to trace its use in Genesis to the work of a Redactor.

not to the mere appellative term but to its practical significance. Omnipotence was the attribute which He wished the Patriarchs to think of, while *Jehovah*, though known to them, was not to receive from God its full meaning until a later date.

The various Divine names in use among the Jews served to keep in relief certain attributes of the Divinity, and especially those which were exercised in their behalf. He was known to them as *Eloah* (singular) and *Elohim* (plural), the God Who by His Providence rules the world. Their name for the God of armies was *Jehovah Sabaoth*. As Most High He was known as *Elyon*. Hebrew praises were offered and promises made to *Jah*, hence the combination *Alleluia* or *Halleluia*.<sup>1</sup> As the Omnipotent Benefactor He was to the Patriarchs *El Shaddai*. He was also known to the Hebrews as *El Roi* (*God Omniscient*) and as *El Olám* (*God Eternal*). But none of these names expressed so perfectly as the *Tetragrammaton* the absolute and incommunicable nature of God. With this name and with it alone is associated the fundamental distinction between God and His creatures. Material things, in the concrete, are composed of matter and form, have integral parts and possess many potentialities which are impossible in God. But potentialities of this kind do not point to the ultimate difference between God and His creatures. Angels are not composed of parts, and are, therefore, without the potentialities associated with matter. The ultimate reason of the distinction between God and created spirits is the identity of the Divine existence with the Divine essence. God alone is self-existent, or rather He is *Pure Existence*. Angels, in common with all creatures, receive existence from an extrinsic cause. God alone is His Own existence, or His existence is intrinsic to Him. In creatures existence and essence are really distinct. This is a fundamental question in Christian philosophy,<sup>2</sup> and is, according to a recent decree of the Sacred Congregation of Studies, embodied in the teaching of St. Thomas.<sup>3</sup>

It is true that the incommunicable character of the ineffable name serves to explain the absolute independence of God and the identity of His Being with His Substance. He alone is indeterminate Being, inasmuch as He possesses

<sup>1</sup> This word is compounded of *Hallelu*, 'praise ye,' and *Jah*, 'God.'

<sup>2</sup> Cf. Del Prado, O.P., *De Veritate Fundamentalii*.

<sup>3</sup> Thesis III, S.S.C., die 27 Julii, 1914.



the fullness of being. All creatures are determined in their essences to a certain finite mode of existence. Being, as such, is only realized in God. Being, the transcendental, has not, as such, a concrete existence, but exists determined in creatures, in one or other of the *suprema genera*, in substance or accident. But in God the reason of being is also the reason of substance.

The *ineffable name* serves also to explain the eternity of God. It abstracts from time conditions, and so cannot be predicated of creatures which are subject to change. When a creature is said *to be*, there is always at least an implied antithesis introduced. Thus, when it is said *John is*, the predication of the verb is made in contrast to his past or future existence. Absolutely speaking, then, the verb *to be* can only be predicated of being without succession, and unlimited by time conditions. In this sense it can only be said of God that *He is*. To say, therefore, of God that *He is, ever was and ever shall be*, cannot contain the full connotation of His nature. Neither can it represent His absolute eternity. A necessary element, and one essential to the definition of God's eternity, is duration without succession. Hence, Boetius, in his definition of absolute eternity, claims for it not only *full* but also *simultaneous* possession of being.

The foregoing considerations are associated with the study of the name *Jehovah*. At the same time they do not present us with an ultimate analysis of the Divinity. An element more fundamental is to be found, as we have said, in the identity of essence and existence in God. The ultimate metaphysical constituent of God may then be placed in *pure existence*. With this idea is connected, although perhaps it is not so fundamental, the notion of *asseity*. But to both we can trace the reason of the *absolute, necessary, and infinite* in God. The ultimate concepts of *pure existence* and *asseity* are expressed in the *ineffable name* as far as is possible to do it by a human word.<sup>1</sup>

Interesting as is the study of the *ineffable name* which was revealed by God Himself, no less interesting are the names which we ourselves apply to God, especially as they are closely associated with our limited knowledge of Him.

<sup>1</sup> With the notions of *pure existence* and *asseity* are closely associated those of *immutability* and *fidelity*. As *El Shaddai* was to the Jews the Omnipotent and Beneficent, so *Jehovah* was to them the God of the Covenant. Hence the importance of the revelation of this sacred name to Moses as a credential of his mission to the Israelites in Egypt.

It is one of the capital errors of Agnosticism that we cannot have any certain knowledge of God. In like manner, Positivists confine our domain of certitude to sensible phenomena. Kant and the Modernist school deny the validity of the claim to establish a relation between the speculative intellect and God. Traditionalists and Fideists at least weaken, if they do not altogether deny, the native mental powers of the individual who is made to 'the image and likeness of God,' and who, since this image fundamentally belongs to the illuminative side of his being, is certainly endowed with powers of knowing the Prototype to Whose image he is made.

The connexion between our knowledge of God and the names which we apply to Him is so intimate that the errors to which we have referred lead to corresponding errors regarding the Divine names—either as to their representative character or as to their origin. If man, by the natural powers of his mind, can know God he can also name Him, so that if his concepts of God be true so also must be the Divine names.

Apart from the use of onomatopoeic words, which are based on the physical or psychic relations existing between terms and their objects, a name must possess a certain fixed value. Once it is conveniently adopted to represent a particular concept its representative character must be acknowledged. To deny the relative value of a name is equivalent to a denial of the corresponding mental image, and consequently of the objective truth which it represents. Even Modernists could hardly deny the relative value of a name, even though they may question the static value of the concepts which we form of God. According to them, a term remains true only in so far as it represents an original concept. But a new thought-term—according to the laws of evolution which they adopt—will often be necessary in order to represent a change in the manifestation of the object in the domain of consciousness. Consequently, a new name should be adopted to represent the new concept, or at least the old one should receive a new connotation.

This teaching is opposed to two fundamental truths, of which one was enunciated by the greatest of philosophers when he wrote, *anima est quodammodo omnia*, a principle which is based on the law of relativity existing between our minds and the essences of things which are unchangeable.



The other is a truth of revelation, in the light of which we see that this law of relativity extends even to God Himself. 'Man,' says Sacred Scripture, 'was made to the image of God.'<sup>1</sup>

But, one may ask, what is the precise value of our concepts of God, and the corresponding value of the Divine names? As we have seen, our concepts of God are true as are also the names introduced to represent them. Yet the names, though they truly represent God, do not give us an adequate and full representation of Him. Like the concepts, they are imperfect and analogous, for human intelligence can only know God as He is represented in the world of creation, as the First Cause in Its effects, and therefore in an imperfect way. Besides, in creation God does not exercise the fullness of His energy.

Our knowledge of the First Cause is, however, distinct and not confused. In this it differs from the *a posteriori* knowledge which we frequently have of secondary causes. Although we may know a great deal about such causes, yet it often happens that we cannot point to the precise individual. Thus, in examining a work of art, we may know that it is the work of a great artist, but who the individual artist is we may be unable to say. In such cases the name, like the knowledge, must be indefinite and generic. But the First Cause stands distinct and absolute, for God is sole cause in the act of creation, and indeed in every operation of the secondary cause He must, in order to preserve His distinctiveness of activity and operative-ness, be the Prime Mover, even in the operations of His free agents. For this reason our names for God are definite and not confused.<sup>2</sup>

To acquire a distinct notion of the First Cause, the mind must by reflex thought remove the imperfections associated with our direct but *a posteriori* knowledge of God. The direct concept can give us only a confused knowledge of Him, and one which is, in a certain way, Pantheistic. The mind must also by a reflex act remove the limitations in those perfections which in the abstract imply no imperfection and which are applied to God with-

<sup>1</sup> Gen. ix. 6.

<sup>2</sup> To preserve the distinctive character of God's operations the Thomists hold that the motion of God in His creatures must be a physical premotion. In like manner, they consider this premotion necessary for the validity of the argument, from motion, of God's existence.

out limitation. The idea thus acquired is a complex one. On the other hand, God's knowledge of Himself is not complex. It is positive and simple. We cannot, therefore, know God as He knows Himself. All we can know is that what is represented analogically to us must exist in Him. What it is as it exists there 'eye hath not seen nor ear heard nor hath it entered into the heart of man to conceive.' We only know that what is represented by our concepts and names must exist transcendentally in God. When, therefore, we predicate Wisdom, Knowledge, and Power of the Deity, even though these perfections are only represented analogically in our thought-terms, yet the predication is true, and the perfections really exist in God. Nor is it necessary that our thought-terms be specified by them as they exist in the object.<sup>1</sup> It suffices to prove that they exist. Hence St. Thomas, in referring to our proofs of God's existence, lays stress on the fact that there can be no reasonable doubt that the propositions enunciating the existence of God and His perfections are true. The propositions contain analogous representations, and the counterpart of the analogy must exist, so that our assent, though relative and illative, is valid.

The imperfect nature of our concepts of God, and consequently of the names which we apply to Him, can also be seen from the way in which they represent Him. Although the Divine perfections are formally identical in God,<sup>2</sup> we must in our thought-terms formally distinguish them. We predicate them, therefore, of Him as simultaneously existing in One Divine Subject. We cannot in our concepts, nor in the names representing our thought-terms, formally identify Divine justice and mercy. Yet, when indeed we do assert that Divine justice is without a formal distinction identical with Divine mercy, we abstract from the mode of representation of the terms and names and limit the content of the proposition to the thing signified.

Several points drawn from the teaching of St. Thomas may be of interest here. The Angelic Doctor tells us that

<sup>1</sup> In other words, our knowledge of God in this life is abstract and not intuitive.

<sup>2</sup> This is denied by Scotus, who admits even a formal distinction between the Divine perfections, *a parte rei*, or in the thing signified. From this it should follow that not only the thing signified but also our mode of representing it corresponds with the object. This view appears not only ontologically to lower the object but also logically to give our concepts a greater value than their origin and representative character should warrant.



certain terms are not only predicable of God but are—abstracting from the manner in which they represent Him—more truly applicable to Him than to creatures. As the perfections of wisdom and knowledge, for instance, belong primarily to God and secondarily to creatures, so do the concepts and also the Divine names. When so considered, however, the terms are limited in their representative character to the thing signified. The mode of representing the object lowers the image and points to the origin of the concept and name. Considered in this way both concept and name belong primarily to the creature.<sup>1</sup>

What we have said applies only to those terms which represent perfections in which no imperfection is implied and which are known as *perfectiones simpliciter simplices*. Other perfections which are relative or *perfectiones secundum quid*, and which involve certain imperfections, must, in consequence, be expressed by terms which in their representative character share in the imperfections of the object. Such terms belong primarily to creatures and if applied to God are predicated of Him metaphorically. Thus, when we speak of the altitude and profundity of God, we apply these terms to Him in a metaphorical and secondary sense.<sup>2</sup>

Again, certain names which we apply to God, and which, etymologically considered, are derived from finite things, are not applied to Him according to their etymological meaning. Consensus of opinion has so limited the original meaning of the terms that they have come to express conceptions which represent the Divine nature or its perfections. A familiar example of this limitation of the meaning of terms is found in the Latin word *lapis* (*laedens pedem*). Etymologically considered, the term is applied to any obstacle that impedes the foot. But the meaning of the word is now restricted, so that not everything that impedes the foot is designated *lapis*. So it is with the names which we apply to God. Thus *ὁ θεός*, the Greek name for God, is considered by some to be derived from *θεόομαι*. But the term as applied to God expresses the Divine nature and not the act of vision with which it is etymologically associated.<sup>3</sup>

Even in the early days of the Church it was recognized that certain names, though really predicated of God, are

<sup>1</sup> St. Thomas, p. I, q. XIII, a. 6.

<sup>2</sup> Ibid., a. 3, ad 1.

<sup>3</sup> Ibid., a. 8. The writer accepts the philological explanations of certain terms in this article in as far as they serve to exemplify the teaching of St. Thomas.

only applicable to Him in time. This is true of the term *Redeemer*. Neither is the term *Creator* predicable of Him from eternity. Tertullian was among the first to show that the name *ὁ κύριος* (*Lord*) could not be applied to God before the Creation.<sup>1</sup> Yet the predication, though real, implies no change in God. Real predication based on relativity does not necessarily require a real relation on the part of each relative term. It suffices if it exist in one of them. The expression of Divine activity resulting in a change and real relation in creatures supplies a sufficient ground for the real predication of certain terms of God which could not be applied to Him before this change was effected.<sup>2</sup>

In referring to the value of the Divine names we have already shown how irreconcilable their application is with the doctrines of Agnosticism, Traditionalism, and Modernism. In their relation to Pantheism, several points of importance cannot be overlooked. In the first place, since certain terms are predicated of God and creatures, not univocally but analogically, the difference in their values points to the impossibility of an explanation of the universe on Monistic lines. Secondly, since our names for God suppose the existence of a First Cause, distinct from the world, they rest upon an explanation of Primal Causality which is altogether incompatible with a Pantheistic theory of the universe. Again, the fact that we possess no *a priori* knowledge of God provides us with an argument against Pantheism as well as against Ontologism; and since no attempt has been made to impose any name on God suggested by *a priori* knowledge, we are convinced that in us no such knowledge exists. Apart from direct revelation our knowledge of Him in this world is derived from *a posteriori* reasoning. As a result the Divine names which we apply to God always possess an *a posteriori* element. This element is traceable to the concept and ultimately to the source from which it comes; so that even those who would claim the existence of God merely as an object of our thought-term, cannot wholly dispense with this *a posteriori* element.<sup>3</sup> Needless to say, the Atheist

<sup>1</sup> Adv. Hermog., c. 3.

<sup>2</sup> We have an example of this in the Incarnation. In Christ there is no human Sonship, yet He is really the Son of the Blessed Virgin, because of her real Maternity.

<sup>3</sup> This is the so-called *a simultaneo* argument. It does not profess to proceed, as St. Anselm's certainly does, from the logical to the real order, but from the psychological real to the objective real of which the psychologic gives us a



will not admit the existence of God because we claim to have an idea of Him in our minds. We are driven, in consequence, to test its relative value by appealing to the arguments on which the validity of the claim rests.

The Divine names, as we have seen, are intimately associated with God. They are for us expressions of His nature and perfections. Their intimate relations with Him make them sacred. The reverence that is due to them is exacted by God Himself in the Decalogue, where we have His precepts positive and negative. It is not, therefore, without grave reason that He issues His command, 'Thou shalt not take the name of the Lord thy God in vain.'<sup>1</sup>

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subjective representation. But since a clear and distinct notion of God in this life is not intuitive but abstract, and since in order to be perfect it must be purified by a reflex act, not only does its existence *depend on a posteriori* reasoning but it is also necessarily *associated* with such reasoning. In other words, our notion of God as a Being infinite and distinct from the universe must be formed by the mind each time we return to it. Needless to say, this is the only rational idea of God which possesses any value against the various forms of Pantheism.

<sup>1</sup> Exodus xx. 7.

# THOUGHTS ON GRAVE SUBJECTS

BY THE BISHOP OF SEBASTOPOLIS

THE human body is undoubtedly a marvellous creation of God, and an object of extraordinary beauty, when properly formed and fully developed, but so soon as life has departed from it, it falls into decay, and becomes an object so exceedingly loathsome and revolting, that it is found necessary to get rid of it without delay. This necessity is recognized by every race and tribe all the world over. But the means of disposing of it differs among different peoples, and in different countries. The most natural and the commonest way is to bury it in the ground, where it soon crumbles away, mixes with the soil, and disappears.

Among many curious habits prevalent in former ages one of the most singular was that which prevailed in Ireland, before the advent of Christianity. Though the Irish buried their dead in the earth, like other people, they did not always lay them horizontally, as we all do now, but often perpendicularly.

With a feeling something like that which induced Vespasian to declare that a Roman Emperor should die standing, the pagan Celtic warriors shrank from the notion of being prostrate even in death. Moreover, they appear to have regarded this martial burial as a special symbol of paganism. For an old Irish manuscript tells how, when Christianity had been introduced into Ireland, a king of Ulster, on his deathbed, charged his son never to become a Christian, but *to be buried standing upright like a man in battle*, with his face for ever turned to the south, defying the men of Leinster.<sup>1</sup>

Where this system of earth-burial was not considered sufficiently expeditious it became customary to call in the aid of fire. The bodies were solemnly burned, and the ashes either scattered to the four winds or else preserved in earthen urns and vases, which were sometimes kept in private houses, but more frequently in public mausoleums. Thus among the Greeks the use of fire prevailed, though it is

<sup>1</sup> See Wakeman's *Archaeologia Hibernica*, p. 21.



true that the Athenians occasionally consigned their dead to the earth. On the other hand, the Scythians suspended their dead in the air. It seems that the corpses were first sewn up in skins, lest birds of prey should devour them, then suspended on the topmost branches of trees, where they were left swinging to and fro in the breeze, to succumb, at last, to the destructive agencies of wind and weather. Ptolemy tells us of certain fish-eaters, or Ichthyophagia, dwelling on the Persian Gulf, who invariably committed their deceased to the sea. As they lived on the flesh of the fish which they drew forth from the sea, they felt that they were, in a measure, repaying their debt, by feeding its finny inhabitants with the remains of poor humanity.

The Bactrians, a tribe living in Asia, consigned their dead neither to the air, nor to the fire, nor to the earth. They preferred to offer them to be devoured by beasts. Indeed, it is said that they kept enormous savage dogs, which were not only allowed to feast and grow fat on the flesh of the dead, but which were trained to eat up, while yet alive, such useless members of the tribe, 'as had lived to an extreme age, or who were enfeebled and rendered troublesome, through long sickness.'

Endophagy, or in other words, the eating of one's own kinsfolk, was practised as a pious funeral rite by the ancient Egyptians and Libyans. In such cases, the act of cannibalism was not preceded by murder, but was, on the contrary, intended as a reverent method of disposing of the remains of one's relatives, who had died a natural death.<sup>1</sup>

As the modes of disposing of the dead varied according to the locality and the age, so did the external signs of mourning. To most Europeans, it seems natural to put on black, as a mark of grief, but such a practice is by no means so universal as we might suppose. The Egyptians, for example, clothe themselves with yellow, when they bear a deceased relative to his last resting-place. Their idea is to imitate Nature, which stains the fallen leaf and the decayed foliage a bright yellow hue. For a similar reason, the Ethiopians will put on brown, to signify that those whom they mourn have returned to their native brown earth. The Turks, on the other hand, who prefer

<sup>1</sup> See *Nelson's Encyclopædia*, vol. v. p. 153.

to picture the dead to themselves as having been transplanted into another world, will put on purple, the colour of the spring violets, and other early flowers, just appearing above the ground. In fact, the signs and symbols of sorrow and loss are quite conventional, and differ among different tribes and peoples.

Though graveyards and tombstones would seem, by their very nature, to suggest serious and solemn thoughts, yet this is by no means always the case. In fact, the very solemnity of the surroundings, and the mournfulness of the scene, often provokes the contrary spirit of frivolity and mirth, in those not directly concerned. We have an instance in the case of the husband, weeping and lamenting over the loss of his young and beautiful wife, who erected a costly monument over her, upon which was engraved a most eulogistical epitaph to her memory. It expressed his heart-broken grief, and concluded with the words :—

Alas ! Alas ! The light of my life has gone out.

However, so little did these sentiments impress the ‘man in the street,’ that one of them, who must have been somewhat of a wag, passing by, and reading the words, took a piece of chalk, and wrote under them :—

If your light has gone out, why don't you *strike another match* ?

The inscriptions to be met with, even within our English churchyards, are most varied, and differ from one another quite as much as the folk who compose them. We may almost say that they form a literature of themselves. The most part of them are in verse, and are composed by men and women of every class, and in all sorts of moods and dispositions. Though usually serious and even solemn, yet these are interspersed with others which are often quaint and comical. Few epitaphs are enriched by any deep thought and fewer still are marked by any profound wisdom. Indeed, the vast majority are of the commonplace and stereotyped type. But occasionally one comes across more thoughtful compositions, full of feeling and expression. Take the following as an illustration. Though the captain, here commemorated, was actually buried in the ocean, the monument was erected on the coast ; the epitaph is much



too long to give in full, but I copy the concluding verses :—

The solemn words are said : Let the sea receive the dead  
 In its vast unfathomed bed, until Time shall be no more.  
 The frothing of a wave, and the good, the kind, the brave,  
 Is in his ocean grave. All his storms of life are o'er.

His messmates stare with eyes of dull and long surprise,  
 That where their comrade lies, not a trace should now be seen.  
 The waves still roll and leap o'er the chamber of his sleep,  
 Down, down in the great deep, as though he'd never been.

Sometimes the inscriptions are picturesque, and not without a touch of humour, as may be seen, for instance, in the following, on the gravestone of an infant of three months :—

Since I am so quickly done for,  
 I wonder what I was begun for !

Here is another, over the remains of a little boy, somewhat more elaborate, but containing the same idea :—

The cup of life just with his lips he pressed ;  
 Found the taste bitter, and declin'd the rest ;  
 Averse, then turning from the face of day,  
 He softly sigh'd his little soul away.

Formerly, it was customary to bury people, not only in the churchyard, but also in the church itself, and the nearer the tomb was to the sanctuary, the larger was the fee. Here is an old entry in one of the now musty volumes, recording certain charges, in the sixteenth century, which illustrates this fact. I give it just as it is found, with the strange spelling, etc. : ' A.D. 1521. Recd. of R. Cabzll, for lyying of his wyffe in the PORCH, 3/4. Recd. of R Blundon, for lyying of his wwyffe in the CHURCH ? 6/8.' N.B.—For *inside* the church the fee is double.

These charges are sometimes alluded to in the epitaphs themselves, as in this, for instance :—

Here lie I, at the chancel door,  
 Here I lie, because I'm poor ;  
 The further in, the more to pay ;  
 Here lie I as warm as they.

The following is taken from a churchyard in Hereford, and is a sad commentary on the fickleness of human affection, and on the ease with which heart-wounds are healed. The grammar and general style of composition suggest

neither education nor refinement. In the first part, the wife is supposed to be speaking, and then the husband replies :—

Grieve not for me, my husband dear,  
I am not dead, but sleeping here ;  
With patience wait. Prepare to die.  
And in short time, you'll come to I.

(*The husband.*)

I am not grieved, my dearest life.  
Sleep on. I've got another wife ;  
Therefore, I cannot come to thee,  
For I must go and live with she.

Sometimes the writer is inclined to moralize. The reader will notice that this tendency has been indulged in the two instances that follow. The first over the body of Y. Zearn, and the other over that of Mr. Dan. G. :—

*Sacred to the Memory of Y. Zearn.*

How strangely fond of life poor mortals be !  
Who, that shall see THIS BED would change with me ?  
Yet, gentle Reader, tell me which is best,  
The toilsome journey, or the Trav'ler's Rest ?

*On Mr. Dan. G.*

'Mongst thousand insects in the Spring,  
The watching Sparrow one espies ;  
He nimbly flits, and drops his wing,  
The gilded prey unheeded dies.

So insect man, we daily see,  
Drops unregarded as the bee ;  
This maxim learn, as from a friend,  
None live so well, but they may mend.

One of the most remarkable characteristics of the tomb-stone artist is his irresistible inclination to joke and to play upon the name of the deceased, if only the name will lend itself to such juggling. Again and again we come across instances of this, all over the country. Neither the solemnity of the occasion, nor respect for the lamented departed, nor even regard for surviving relatives and friends, seem able to restrain him. Whatever happens, he seems determined to exercise his wit, and to leave some record of it on the imperishable marble. Among a great variety of examples, we may select the following. The first is on Peter Stiller. Now, 'Stiller,' of course, is an excellent word to play with, and the composer of his epitaph at



once seizes the occasion, and the result is that we are treated to the following :—

*On Peter Stiller.*

As still as death, poor Peter lies,  
Yet *Stiller* when alive was he,  
Still not without a hope to rise,  
Though *Stiller* then he still will be.

A somewhat similar liberty has been taken with the name of another gentleman, a Mr. Robert *Remnant* :—

*To the Memory of Rob. Remnant.*

O ! Cease ye mourning friends to weep ;  
Be on each heart engraved.  
God has ordained, of those who sleep,  
A REMNANT shall be saved.

Here is another specimen, over the body of William Quick :—

Here is laid  
The QUICK and the dead.

While F. Strange, who was a well-known ‘Limb of the Law,’ lies under a stone, on which is engraved :—

*On F. Strange ; Lawyer.*

Here lies an honest Lawyer. That is STRANGE !

Over the burial-place of the Earl of Kildare it is written :—

Who killed Kildare ?  
Who dared Kildare to kill ?  
Death kill'd Kildare, who  
Dare kill whom he will.

Then we come across a strange inscription on the head-stone of a gentleman bearing the somewhat unusual name of ‘Monday.’ It seems he had committed suicide :—

*On Mr. James Monday.*

Hallowed be the Sabbath ;  
Farewell all worldly Pelfe ;  
The week begins on TUESDAY !  
For, MONDAY's hanged himself !

One of the most puzzling compositions was suggested by a lady called Maria Nott. Such an appellation afforded an opportunity, which was at once taken advantage of, and resulted in the following epitaph :—

*On Mrs. Maria Nott.*

Nott born, Nott died, †  
Nott christened, Nott begot.  
Lo ! Here she lies, that was,  
And that was Nott.

The tendency to pun upon words is further illustrated in the following verses on Mr. Bywater, who fell into the river and was drowned :—

*On Mr. John Bywater.*

Here lie the remains of his relative's pride,  
*Bywater* he lived, and *by water* he died;  
 Though *by water* he fell, yet *by water* he'll rise,  
*By water* baptismal attaining the skies.

Perhaps one of the most pathetic inscriptions is that over the grave of a poor old charwoman, laid to rest after a long life of incessant labour and toil. On her tombstone, now almost effaced and covered with the moss of centuries, one reads :—

Here lies an old woman, who always was tired,  
 She lived in a world, where too much was required.  
 The last words she said were ' Dear friends, I am going  
 Where washing an't wanted, nor mending, nor sewing.  
 There all things are done just exact to my wishes,  
 For, where folks don't eat there's no washing of dishes.  
 In Heaven loud anthems for ever are ringing,  
 But, having no voice, I'll keep clear of the singing.  
 Don't mourn for me now, 'don't mourn for me never;  
 I'm going to do nothing FOR EVER AND EVER.'

We may perhaps form some notion of the life of a poor 'slavey,' with its incessant labour and toil, when we are assured that her highest conception of supreme bliss and perfect joy is *just to sit and do nothing for ever and ever*.

The following, *on a Metaphysician*, is a little epigram composed by the late well-known writer, Father T. E. Bridgett, C.SS.R., and is worthy of a place in this article :—

His years of life he spent in doubts sublime;  
 What is that entity which men call Time?  
 He travelled many a league from place to place,  
 To ask the learned—' Is there really space?'  
 At length Time passed for him, and all he got  
 From God or man, was space enough to rot.

One is apt to be startled on reading the following epitaph :—

Here lies the body of Mary Ann,  
 Who was born a woman, but died a man.

The explanation being that she married a Mr. Charles Mann.



The next is more cutting than complimentary, and suggests a garrulous woman :—

*Miss A. Young.*

Beneath this stone, a lump of clay,  
Lies Arabella Young,  
Who, on the 25th of May,  
Began to hold her tongue.

Having said so much on the subject of tombstones, I think I had better now follow her example, and begin to hold *my* tongue.

✠ JOHN S. VAUGHAN.

## PIONEERS OF IRISH CATHOLIC EDUCATION

By TERENCE O'HANLON

WHEN Thurles Presentation Convent, which recently celebrated its centenary, was established towards the end of July, 1817, the tiny seed planted in Cork City by Nano Nagle, less than fifty years before, had already grown into a stately tree with branches spreading into each of the four diocesan provinces of Ireland. The South Presentation Convent, Cork—the parent-house of the Order—was opened on Christmas Day, 1777, its valiant Foundress having triumphed over difficulties greater than have ever had to be contended against in the history of any country in Europe. By the end of the eighteenth century, the Institute, having in the meantime received the Apostolic benediction and approval, was beginning to make its influence felt in the lives of the Irish poor. Sister-houses had already sprung up in Dublin and in Waterford, a second establishment had been opened in Cork, while applications were pouring in from Bishops in all parts of the country asking to have foundations set up in their dioceses. Under the conditions then prevailing it was found impossible to gratify the wishes of more than a small proportion of the applicants. Nevertheless, the opening of the Thurles house a hundred years ago marked the establishment of the fourteenth convent of the Presentation Nuns in Ireland at that date, the earlier foundations, in addition to the three just mentioned, being Killarney, Kilkenny, Dublin (James's Street), Tralee, Dungarvan, Carlow, Drogheda, Carrick-on-Suir, Clonmel, Galway, and Rahan. To-day there are over sixty houses of the Institute in the homeland alone, whilst the daughters of Nano Nagle have carried the twin blessings of Catholic Truth and Education over the billows to every corner of the earth in which the scattered exiles of Ireland have found shelter. 'The least shall become a thousand, and



a little one a most strong nation : I the Lord will suddenly do this thing in its time.'

To adequately appreciate the services rendered to God and to Ireland by the Foundress and early members of this great teaching Order, one must cast back a little through the pages of our sorrowful history. Often, nowadays, we are reproached for morbidly brooding over the wrongs of the past, thus rendering ourselves unfit for the duties of the present. Yet if we are to understand the heroic struggles and ultimate triumph of Right over Error, contemplation of our history in all its aspects becomes essential.

For two hundred years or so political oppression, the most crushing that a tyrannous system could devise, had been put into operation against our nation, leaving the land desolate, the race divided and half-broken, but still resolute. Then came the dread sixteenth century, with its so-called Reformation unloosing the demon of religious persecution, so that for another two hundred years it was not so much his nationality that was the Irishman's crime as the fidelity with which he cleaved to the faith of his fathers.

English writers have frequently dwelt upon the different effect which the penal laws had brought in Ireland as compared with the influence of religious persecution in their own land. In England, slowly but surely, the system of legalized savagery, represented by the penal code, accomplished its end, gradually destroying the priesthood, and thus blotting out the faith from the hearts of the people. The middle classes and the poor yielded almost unresistingly, and Catholicity, after a time, lingered only amongst the aristocracy, finding its sole refuge within the walls of a few mansions whose noble owners bore ancient and stately names. Religious houses were swept from the land, and men and women desiring to consecrate their lives to God were driven out of the country.

In Ireland the effect was different, for the more barbarous became the methods employed to rend its people from the ancient religion the more tenacious became their adherence to it. In vain were the clergy tracked like wolves; in vain was it enacted that to harbour a bishop or a priest within our shores should be punished with death; the faithful flocks would not betray their shepherds, who, hidden in mountain glens and in caves

of the earth, continued to be loved and honoured as the priesthood of no other country under heaven had ever been. When the despoiler's hand had razed to the ground the monasteries and the abbeys which had hitherto dotted the island, the heart of the nation clung lovingly to them still, and when the parish churches were confiscated to the State religion, the people fled from them as from a plague-spot to gather around their outlawed *sagart* as he offered the Mass in some secluded nook on the mountain side, his altar a heap of stones.

Having at length despaired of accomplishing the religious subjection of the Irish as a race by methods like those just spoken of, the enemy of the faith turned to new and more insidious devices. By stultifying the people, by paralysing the national and intellectual life that was in them, by striking them with the curse of stupidity and ignorance, by brutalizing them through the cutting off of every source of education, he hoped to succeed where earlier penal enactments had failed. Consequently, those ferocious statutes of William III and Queen Anne, the object of which was to make it penal, under penalty of banishment, fine, confiscation, or imprisonment, for any Catholic in Ireland, man, woman, or child, to teach or be taught, were set in motion. And to make assurance doubly sure, the advocates of Protestantism further sought to sap the faith of the people by drawing Catholic children into their own schools. About the middle of the eighteenth century there existed upwards of fifty Charter schools in Ireland, endowed by the State for this ignoble purpose.

On entering such schools [says a contemporary writer] the children's names are changed so that they may have no communication with their parents, and after a little time they are transferred to another parish that the isolation may be more complete. Premiums are given to those who show most proficiency in the catechism, which is composed purposely for these schools, and is nothing but a continuous invective against the Catholic Church. The children get portions on the condition that they marry Protestants with the consent of the directors of the schools.

An extract from the Charter of the Second George, under which these schools were established, will help further to show the disinterested and benign intentions of the promoters:—

George II, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith,

Forasmuch as we have received information by the petition of the



Lord Primate, Lord Chancellor, Archbishops, noblemen, bishops, judges, gentry, and clergy of our Kingdom of Ireland, that in many parts of the said Kingdom there are great tracts of land almost entirely inhabited by Papists who are kept by their clergy in great ignorance of the true religion, and bred up in great disaffection to the Government; that the erection of English Protestant schools in those places is absolutely necessary for their conversion, etc.

Specifying that the object of the charity must be *the children of Papists* and other poor natives in Ireland, the Charter proceeds:—

To the intent, therefore, that the children of the Popish and other poor natives in the said Kingdom may be instructed in the English tongue, and the principles of true religion and loyalty; and that so good a design may the more effectually be carried out, the Lord Lieutenant and some of the chief nobility, gentry, and clergy of the said Kingdom are appointed Commissioners to execute the purposes of this Charter.

King George himself subscribed £1,000 towards the project by way of a personal donation besides fixing an annual grant of a like sum on the hereditary revenue of Ireland. That was in 1739, and within the next decade the Irish Parliament created a new fund for the endowment of the scheme, whilst the corporations of Dublin, Waterford, Kilkenny, Cashel and Trim made generous grants in favour of the establishment of Charter schools in their districts. Thus, a century and a half ago not only was Ireland without a single recognized place of Catholic worship, but neither was there to be found within her shores a single Catholic school for the education of a single Catholic child. The race that had resisted so long and so valiantly against the oppressor's onslaughts, found in this latest weapon a device of such diabolical cunning as to make ultimate defeat appear inevitable. Just, however, when the people had sunk into the silence of despair, a Debora arose in the land and grasped the spear that was destined, under God, to turn defeat into victory. Nano Nagle was the woman chosen by Divine Providence to be the mother of that Irish Catholic education which has preserved the faith in Ireland, preserved the glory of the purity of our Irish womanhood, and sent forth missionaries to the ends of the earth to be apostles to nations.

Honoria Nagle was born in Ballygriffin, Co. Cork, in 1728. Her family was closely connected with those of two celebrated Irishmen—Edmund Burke and Father Mathew; her father's sister being the great political

philosopher's mother, while his wife was Miss Mathew, of Thomastown. As a child little Nano was such a tom-boy that her pious mother found it necessary to keep a check on the ardour and liveliness of her disposition by withholding from her those indulgences which she usually granted to her other children. Sometimes, when the mother would express uneasiness regarding the little one's waywardness, the father, whose observing eye discerned in the child's vivacity the early impulse of an elevated soul, would reassure her with the remark that 'Poor Nano would be a saint yet.' Unable to procure the necessary education for their children at home, owing to circumstances already dwelt upon, the Nagles contrived to evade the laws by sending Nano to a convent school in Paris, to which city they were bound by many family ties: for when the cause of the Stuarts was lost at the Boyne, Sir Richard Nagle, the ancestor of Nano, who had been an ardent Jacobite and Catholic, and was, in 1689, Speaker of the Irish Parliament, forfeited his vast estates in Munster to follow the wretched King to France. The girl's education finished, she was taken in hands by her distinguished exiled kinsfolk and plunged into a round of gaiety and dissipation so easily to be found in the brilliant court of Louis XV. So highly delighted was the gay and frivolous Nano with the pleasures of Paris that she soon began to think it impossible she could live elsewhere; but Providence had planned a nobler destiny for her, and in the midst of her enjoyments a seemingly trivial incident occurred which was destined to change the whole course of her future career.

There had been a grand ball in Paris, and the grey dawn had crept over the city ere the more eager of the pleasure-hunters—among them Nano Nagle—could tear themselves away from the scene of the night's amusement. At last her carriage rolled noisily through the empty, silent streets, its fair young occupant weary and jaded, feeling that sad void of heart and general reaction which usually succeed indulgence of the sensual cravings. Suddenly her attention was aroused by a small group of men and women huddled together around a church door. They were poor—drawn, all of them, from a class whom hard work grudgingly permits to snatch the necessary hours for sleep; yet here they were, sacrificing their sweetest hour of repose that they might spend a little time with God. In order



to be in time for first Mass, they had arrived before the church door was opened.

That sight [says one of her biographers] was an arrow of grace shot through the heart of Nano Nagle. She contrasted the position of these poor work-people with her own as they stood relatively in the sight of God. *They* seeking the one thing necessary, *she* a slave to the perishable world; *they* fervent in their piety, *she* tepid, and all but cold; *they* devoting the early morning to the worship of their Creator preparatory to a day of useful labour, *she* devoting the same hours to indolent repose, to be succeeded by an afternoon of purposeless, if not sinful, frivolities.

The contrast was too striking. Tears welled to her eyes, and she there and then resolved to bid adieu to the pleasure-haunts of Paris and devote the remainder of her life to the service of God—a resolution she faithfully fulfilled.

Returning to stricken Ireland she at once began to occupy herself in such works of charity as lay within her reach. The lamentable state of ignorance in which she found her oppressed co-religionists appalled and disheartened her. She had no private fortune, and what could she, single-handed and without means, do against such terrible odds. Her relatives, staunch Catholics though they were, she knew were not likely to give her much encouragement, for at that date the more well-to-do Irish who had remained true to the faith were thankful for being allowed to breathe in safety and had no inclination to do anything that might tend to jeopardize themselves by stirring up fresh animosities.

Having given the situation long and anxious thought, Nano Nagle at length despaired of being able to render any practical service in the education of her poor co-religionists in Ireland, and, heart-broken, she determined to quit for ever a land she could not serve, and, instead, seek in a foreign nunnery the salvation of her own soul. Forthwith she took leave of all her friends and sailed once more for France, intending to pass the remainder of her days in prayer and penance as a victim for the sorrows and woes of her beloved country. But such was not to be, for Providence had already marked out Nano Nagle to fulfil an even more heroic destiny.

No sooner had she set foot again on the soil of France than a voice began whispering in her heart that the path she was choosing was not the one God intended she should follow. She reasoned the matter over and over again

with herself: one day persuading herself she was under a delusion; the next unable by that solution to stifle her doubt. Day and night the thought of poor, suffering Ireland possessed her soul: like Patrick of old, she saw, in her dreams, the little children stretching out their hands to her and calling for succour. Torn with doubt as to the course she should pursue, she at last resolved to turn for guidance to the Fathers of the Society of Jesus in Paris, in whose judgment she had implicit confidence. To them, as she herself has told us, she

laid open the agitation of her mind, her settled disgust for the world, her ardent desire for the religious state, her feeling for the poor of her own land, her strong propensity to contribute to their relief; that from the first moment she discovered their ignorance, she could never divest herself of the thought, but that she attributed all to her heated imagination. As matters stood it was morally impossible for her to be of service to them. The penal laws were an insuperable bar, and she had no pecuniary resources. Her constitution, too, was delicate; yet though the prospect before her if she returned was wretched and hazardous and all but hopeless, she felt inwardly compelled to follow it, she knew not why.

In the depths of her mind the perplexed lady fostered a hope that having poured out her heart to wise and sympathetic advisers her misgivings would vanish and her path to the cloister be rendered smooth and easy. A very different decision, however, awaited her. She was called, said her guides, not to religious life at the moment, but to instruct ignorant children in Ireland. The want of money and the 'illegality' of such a course did not matter; she must return home again and do what she could. So astonished was Nano Nagle on hearing this command that she ventured to question its wisdom; but the Jesuits were unflinching, their decision irrevocable. Then accepting it as the Divine will she thereupon commenced preparations for the life of toil, anxiety, misrepresentation, danger, and hardship which lay before her. Her father having meanwhile been called to his reward, her mother and sister took up their abode in Dublin, and on her second return to Ireland, Nano joined them at their new home in the Metropolis, where she continued to reside until the deaths of both her sister and her mother, which followed one another with almost tragic suddenness a little while later.

Some doubt seems to exist as to whether it is Dublin or Cork which is entitled to the distinction of having been the scene of Nano Nagle's earliest labours among the poor.



Several authorities—amongst them the Right Rev. Dr. Coppinger, her contemporary, and earliest biographer—hold the view that during her brief sojourn in Dublin the brave girl rented a room in a poor district in the city and gathered around her thirty benighted children whom she taught to read and spell, and stealthily instructed in the catechism; others contend that Nano Nagle neither established nor taught a school of any kind in Dublin, that her work on behalf of the poor Catholic children of Cork was confounded with a similar mission carried on by certain pious ladies in Dublin about the same time. This is the view expressed by Dean Murphy in his now very rare *Memoirs of Nano Nagle*, and also by Canon Hutch in his monumental work *Nano Nagle: Her Life, Her Labours, and her Fruits*. Nevertheless, the present writer, having discussed the point with others no less interested than he in the career of this noble Irishwoman, is strongly inclined to the belief that the honour of Nano Nagle's first school belongs to Dublin. In support of this theory we have, in addition to the important testimony of her contemporary, Dr. Coppinger, a statement in the short account of Miss Nagle's life compiled from the Annals of the South Presentation Convent, Cork (published by Flynn of Cork, in 1878), which would seem to leave little room for doubt on the point. It is this:—

She [Nano Nagle] remained some time with her mother and sister in Dublin, and during her residence there she commenced the work of G.O.I. She took a small room, assembled about thirty children, whom she instructed in the Christian doctrine, and taught to read and spell. In this good work she was assisted by one of her sisters, who was as charitably disposed as herself. *From her having afterwards declared that she was absolutely terrified at their wickedness, we may easily suppose that the vulgar world, in miniature, was delineated in this little assembly.*

Remembering the scrupulous care with which such communities preserve and hand down, not alone the annals but the traditions of their houses, the foregoing extract would seem to furnish irrefutable testimony in support of the Dublin theory. Furthermore, Nano Nagle, accepting as a Divine command the advice of the Parisian Jesuits that she was to 'proceed to Ireland and instruct ignorant children,' returned home at once, and joining her mother and sister in Dublin settled there until the hand of Death broke up their home. When one recalls the ardour of her determination to fulfil the task assigned to her, does it

seem probable that so intense a personality could have lived, even for a little while, in the midst of the most deplorable vice and squalor and ignorance, without at least making a beginning on the work she had already accepted as having been called upon by God to perform? There does not now seem to exist any authentic record of the date on which the little school for poor Catholic children, in Mary's Lane, Dublin—associated with the names of the pious trio, Maria Teresa Mullally, Judith Clinch, and Anne Corballis—was opened, but in view of the similarity of its methods and objects to that founded by Nano Nagle in Cork, added to the close bond of friendship which subsequently existed between the Foundress of the Presentation Order and Miss Mullally, it may well have been that the Mary's Lane establishment was started by Miss Nagle during her sojourn in Dublin and, later on, committed to Miss Mullally's care.

When death deprived Nano Nagle of her mother and sister, the only home she had to turn to was that of a married brother, who resided in the city of Cork. Thither she repaired in the 'sixties of the eighteenth century, and, shortly after her arrival, learned with delight that a rich uncle had determined to make her his heiress, provided her conduct was such as should please him. She realized fully that nothing was more likely to displease him and her brother also than to pursue her intention to found a school for the poor children of Cork. But her purpose was firmly fixed, and, determined to act with all possible prudence, she began her work amongst the poor of Cork in secret. Before long, however, the secret came to her family's ears and a fierce storm burst on her devoted head. But angry as her relations were, they could not help admiring her courage and self-denial, and after a little while their opposition changed into warm support.

On her uncle's death she found by his will his entire fortune at her own disposal. The little school, which nine months earlier she had opened with a roll of thirty children, had been developing with extraordinary rapidity; so that spread over the poorer districts of Cork she found herself with seven schools—five for girls and two for boys—under her care. The curricula of these establishments was necessarily limited, being in each case confined, in secular knowledge, to what is popularly known as 'the three R's'; but the children learned their catechism, were



taught to say their beads, and were brought to Mass and monthly confession.

Twice a year [wrote Nano Nagle to a friend at this time] I prepare a set for First Communion; and I may truly say it is the only thing that gives me any trouble. In the first place, I think myself very incapable; and in the beginning, being obliged to speak for upwards of four hours, and my chest not being as strong as it had been, I spat blood, which I took care to conceal, for fear of being prevented from instructing the poor. . . . If everyone thought as little as I do of labour, they would have very little merit. I often think my schools will never bring me to Heaven, as I only take delight and pleasure in them. . . . I can assure you my schools are beginning to be of great service to a great many parts of the world. This is a place of great trade. They are heard of, and my views are not for one object alone. If I could be of any service in saving souls in any part of the globe I would do all in my power.

It is not to be supposed that this saintly woman's exertions in the cause of the poor were confined to the duties set out in the foregoing extract from her correspondence. She had not only to educate the children attending her schools, but in very many instances to provide them with food and clothes. Moreover, in her spare moments she trudged to the most squalid haunts in the city in search of those little ones who stood in greatest need of the blessings which her schools could confer, but who, for one reason or another, were slow to avail of them.

How often [says her friend and panegyrist, Most Rev. Dr. Coppinger], how often have we seen her after a well-spent day returning through the darkness of the night, dripping with rain, mingled in the bustling crowd, moving thoughtfully along by the faint glimmering of a wretched lantern, withholding from herself in this manner the necessities of life to administer the comforts of it to others.

With her natural shrewdness Nano Nagle, up to this time, must never have lost sight of the fact that although an almost miraculous success had attended her labours, there was nothing to save the fabric she had raised from irretrievable collapse at her death. Besides, the old desire for the nun's veil had never left her heart. She therefore formed the idea of inviting a religious community to come over from France and carry on the task she had so well begun. Her project won the hearty approval of Father Doran, S.J., and of his nephew the Abbé Moylan, in after years Bishop of Cork; and in 1769 an application was conveyed to the Ursuline house in Paris to found a branch of their Order 'by the pleasant waters of the River Lee.' But the French Sisters, realizing the dangers besetting

such an enterprise, weakly allowed their natural timidity to overcome their zeal for missionary work, and so declined the invitation; offering, however, to receive and train a certain number of Irish girls who should hereafter form a community of their own in Cork. Accordingly, before the end of the year, four young ladies travelled from the South of Ireland to Paris and entered the novitiate there. Two years later they set out on their return home, and, we are told, halted for a night at the Carmelite Convent of St. Denis, the prioress of which was then the saintly Louise of France. When she learnt their errand, the princess was filled with a holy envy, and told them that, had she been permitted, she would willingly have gone with them; for she thought so highly of their labours that she would 'be glad to be at the feet of our Ursuline in heaven.' Only a few years later and these same Carmelite nuns, who then lived in such tranquil security with a princess at their head, were to see their convent levelled to the dust and they themselves hunted to death or exile, while the heroic Irish four who were journeying forth on a perilous and uncertain mission were to see their work prosper and expand, and their proscribed religion bloom anew in strength and vigour. A striking instance, surely, of the vicissitudes and surprises of human life!

On Ascension Thursday, 1771, the small colony of newly-professed Ursulines arrived in Cork and were welcomed by Nano Nagle to the little abode she had prepared for them in Douglas Street. But the Protestant Corporation of Cork, becoming alarmed at this open violation of the laws and flagrant assertion of Popery, hurriedly convened a special meeting to grapple with the crisis. Amongst their number was one broadminded man, Alderman Francis Carleton, who ridiculed the idea that Protestant ascendancy had anything to fear from the presence in their city of a few pious women who chose to 'teach poor children, drink tea, and say their prayers.' And so, no action was taken, and the work of the nuns was suffered to proceed unhindered.

With the apparent establishment of her scheme on a more secure foundation, it might have seemed to Nano Nagle, whose health had already given serious cause for alarm, as if her task was almost done, and she might with safety gratify her ardent yearning by retiring to the cloister for the remainder of her days. But it was not to be.



There had been some misunderstanding in the negotiations which led to the establishment of the little community in Douglas Street, and with bitter disappointment the noble Nano learned at length that the Ursuline rule forbade its members to devote themselves exclusively to the poor. The service of the poor had been her first and chief consideration, and what was she now to do? The long-wished for arrival of the Ursulines, therefore, was not to place her work on a permanent footing after all; and, moreover, the very friends who had gathered round her to be her helpers and companions were now wearing the Ursuline habit, and unable any longer to assist in her cherished undertaking. But Providence has His own wise ends in such disappointments, and Nano Nagle lived to realize how much better it had been for her to have her first designs frustrated.

There were many other pious ladies who had intended to enter the Ursuline community when it should arrive in Cork, and who shared Miss Nagle's disappointment. Instead of carrying out their original design they gathered round her and in a little time a new religious institute had sprung up in Cork, side by side with the Ursulines. Like the early Sisters of the Visitation Order, the members of the Presentation sought out children in their own homes, brought them to school, and educated them. Also, they visited the sick and relieved distress wherever they met with it.

Nano Nagle's original design for her new Institute was that it should consist of a simple congregation of pious women bound by annual vows and devoted solely to works of charity among the poor. She merely wished them to deserve its being said of them, as it was of herself, that 'there was not a single garret in Cork which she did not visit, and did not know.' Towards the close of 1777, she had the happiness of seeing her second convent completed, after having courageously encountered and overcome what to a weaker will must have seemed insurmountable obstacles, and on Christmas Day the opening ceremony was quietly performed of the parent-house of the Presentation Order, the occasion being fittingly celebrated by the saintly Foundress inviting fifty-four beggars to dinner, she herself waiting on them with her own hands. This benevolent custom she kept up all her life, and down to the present day it is loyally observed by many of her daughters.

A wise man has said that to be great is to be misunderstood. On many occasions, sad to say, it was the lot of Nano Nagle not merely to be misunderstood but to be misjudged, insulted, and abused. More than once, as she passed on her mission of mercy through the alleys and byways of Cork, did the taunts of 'hypocrite' and 'imposter' fall upon her ears. Yet she uttered no word of complaint nor once attempted to defend her motives against the scorn of men. Hers were indeed the

Sweet lips whereon did reign  
The golden charm of summer charity.

Never during all the years of her life of unending drudgery did this holy creature make her work an excuse for lessening the time devoted to spiritual exercises. Four hours every morning were spent in prayer, while she never failed to make an annual retreat of eight days, besides spending the whole night of each successive Maundy Thursday on her knees. When at prayer she was always accustomed to kneel, yet only after her death was it discovered that her knees were excoriated, and partly ulcerated, and must have been in that condition for years; so that every moment of the long hours spent in prayer must have meant untold agony, which was borne with such exemplary fortitude that not even her most intimate associates ever suspected her sublime secret.

On April 26, 1784, she was called to a better world. On her death-bed she repeated what had been her constant advice to her children: 'Spend yourselves for the poor, and love one another as you have hitherto done.'

In the course of time the Presentation Nuns had to give up part of the rule governing their mode of life and become an enclosed Order with perpetual vows. It was also desired that they should devote themselves exclusively to one branch of religious labour—the education of poor children within the convent walls. The subsequent springing into being in Ireland of such Orders as the Sisters of Mercy and the Sisters of Charity was perhaps largely due to this alteration in the original work of the Presentation Nuns. The first Apostolic brief was granted to the Order on September 3, 1791, by Pius VI, while the rules and constitutions were remodelled and approved by Pius VII, fourteen years later. No sooner had it received the approbation and benediction of Christ's Vicar than the



new Order began to acquire, daily, fresh strength and vigour, especially in the South of Ireland.

A couple of years, however, prior to the granting of the first Apostolic brief, an effort was made to secure for the poor of Dublin the blessings diffused by the Presentation Sisters. The name of Maria Teresa Mullally has already crept into this article, and she it was who established in the Metropolis of Ireland a branch of Nano Nagle's congregation. Miss Mullally has aptly been styled the counterpart of the Foundress of the Presentation Order. In secret defiance of penal laws she daily gathered around her—for a period extending over several years—in rooms in Mary's Lane, a little school of poor children and stealthily taught them to read and write and say their prayers. In the early stage of this heroic venture, Miss Mullally instructed her class in knitting and glove-making in a front room, and in an adjoining apartment her school was carried on. It is on record that when word went round that a Government pimp happened to be in the neighbourhood, the copybooks and catechisms were hurriedly concealed, while the little ones became deeply absorbed in their manual arts. In this way did their pious instructor contrive to escape the vigilance of the authorities. Nano Nagle was on the friendliest and most intimate terms with Miss Mullally—another fact which lends colour to the theory of the former's early association with the little school in Dublin.

Some of the correspondence which passed between them is still preserved in the archives of George's Hill Convent, and in a letter, dated as far back as 1778, Miss Nagle discusses the constitution of her newly-formed congregation, and says: 'I send you the rule which they follow (it is called "The Society of the Sisters of the Charitable Institution of the Sacred Heart of Jesus") . . . I could wish that we may unite in this society.' Miss Mullally travelled to Cork and obtained a promise from Nano Nagle that she should get all the assistance the new community could give in the development of her good work among the poor of Dublin—a promise which was to be fully redeemed some years after Nano Nagle's death. Not until 1788 was Miss Mullally enabled to proceed with her designs for the introduction into Dublin of the Presentation community, and six years afterwards the Institute in George's Hill had already begun its work.

Such, then, were the small beginnings of what is now one of the greatest Catholic teaching institutions in the world. No human power, of course, could have been responsible for the extraordinary expansion during the past century and a half of this Congregation, inspired by a heroic girl and composed of a handful of retiring, humble women. Cork may well feel proud of being the cradle-bed of such an illustrious religious Order, as Ireland, to the end of time, must cherish the memory of its valiant Foundress.

TERENCE O'HANLON.



## ST. PAUL'S 'LIVING REMNANT'<sup>1</sup>

BY REV. J. DONOVAN, S.J.

AMONG Rationalists of all schools, atheists, pantheists, evolutionists, a favourite pastime, or at least distraction from duller and more metaphysical pursuits, is the recreational excursion into Christian territory, not for purposes of exploration, but of direct aggression. Their aim is to attack the Church from within. By misuse of Christian documents they would destroy the Christian religion. In pursuit of this sport they fancy they have discovered a formidable weapon in the references of our Scriptures to the Parousia. These theorists approach the study of our sacred books in the firm conviction that the Supernatural is a figment of man's imagination, or, at most, an evolutionary brain-product. They hold the impossibility of miracles to be a foregone conclusion; and when they condescend to turn over the pages of Holy Writ, they are driven by sheer logical necessity to read into the inspired text that philosophy and theory of life which they have already embraced. No wonder that when such minds deal with the Parousia, some of them will tell you—and with unblushing assurance that defies contradiction—that both Our Lord and His Apostles laboured under an hallucination concerning the imminence of that great event. Others may exempt from their strictures the personality of our Divine Founder; but these, too, are ready to submit apodeictic proof that the Apostles, poor dupes, expected the Day of Judgment to occur in their own time.

To such prejudiced thinkers the Parousia becomes a weapon whereby they think to rid us of all infallible teaching within the Church. Sensible Catholics are not likely to bestow much attention to preconceived prejudice, when it presents to us its tainted interpretation of our sacred books.

For detailed lists of this kind of literature the reader may be referred to Mechineau's able and illuminating

<sup>1</sup> 1 Thess. iv. 13-18.

articles which have recently appeared in the *Civiltà Cattolica*. These Rationalist commentaries have met with sound refutation from quite a phalanx of Catholic protagonists. Mechineau informs us that some of the latter, while manfully holding the fort of traditional Catholic exegesis, have shown a slight inclination to yield, before Rationalist heavy artillery, just a tiny bit of ground—not a portion of the stronghold, but just a small corner on the outskirts. Among these concessionists occurs the name of a man of much learning and of high renown as a Pauline scholar, Father Prat, the distinguished author of that well-known and much appreciated work: *Théologie de St. Paul*.

Circumstances led to an examination of this writer's statements on the Parousia. The issue, be it remembered, between us and Rationalists, may be briefly summarized in the following question: 'Did St. Paul, or did he not, declare his belief, that he and his neophytes would survive to witness the Lord's coming?' Prat, in the second part of his work, sums up his view thus: 'He (Paul) does not teach survival till the time of the Parousia, either as *certain* or as *probable*; but he teaches it as possible.'<sup>1</sup> This precise and definite conclusion, arrived at after elaborate argument, stands in diametrical opposition to Rationalist pretensions. To these higher critics the concession about mere possibility is worth very little; for them, in fact, it is worthless.

Such, evidently, is Prat's mature and final verdict; and his attitude on the Parousia problem should be gauged from this pronouncement. In the first part of his work (page 108), touching on an erroneous opinion, broached apparently in St. Paul's time, and held by some Christians, 'who persisted in the belief that certain privileged beings like St. John *would survive* till the Parousia,' Prat puts the question: 'Did St. Paul share the common illusion?' And his reply is: 'En principe rien ne s'y oppose.'

It would seem, then, that our distinguished Pauline student altered his opinion, when, later on, he came to write the second part of his *magnum opus*. The remark just quoted occurs as a sequel to Prat's commentary on the famous passage 1 Thess. iv. 13-18.

This Pauline paragraph is the great bulwark of the Proximity Theory, as far as St. Paul is concerned. In it

<sup>1</sup> Op. cit., p. 520, iii, 3.



Rationalists profess to find the categorical statement of the Great Apostle that he and his hearers would survive to be present at the triumphant return of the Messiah. We have seen that Prat looks on this opinion as quite untenable. Nevertheless, his translation of an essential portion of the all-important Pauline passage, despite certain merits, lays itself open to criticism. Were his attention called to such a defect, he might reply with a shrug: 'Quandoque bonus dormitat Homerus.' His French and Latin renderings of ἡμεῖς οἱ ζῶντες, οἱ περιλειπόμενοι are as follow:—

Nous les vivants, nous les survivants.

Nos viventes, nos superstites.

(We the living, we the survivors.)

Incidentally, Father Prat finds fault with the translation of St. Jerome, who rendered this original by means of the relative clause with present indicative: 'nos qui vivimus, qui residui sumus'; 'we who are alive, who are left behind to the coming.'

In his opinion, *nos viventes*, *nos superstites* would be a more accurate rendering. Expression is given to this view in a note (page 109), where it is positively stated that 'the Greek is not accurately translated'; and he suggests the participial formula mentioned.

Now, though it is true that Jerome should have employed the future (*qui vivemus*) instead of the present tense, the rendering advocated by Father Prat is open to much more serious objection.

The participial formula *viventes*, with the substantival (or adjectival) adjunct *superstites*, would no doubt be quite adequate to render the Greek participle, if unaccompanied by the article; but, where the article occurs, as in the case under discussion, οἱ ζῶντες, the Latin participial phrase would be absolutely inappropriate; for it would actually be liable to convey precisely what is expressed by the Greek participle *alone*, ζῶντες. Were Father Prat's rendering accepted, we might be confronted with a dependent circumstantial clause, whether of *time*, of *cause*, or of *condition*. The meaning would then be either (1) 'while,' or (2) 'inasmuch as,' or (3) 'if alive and surviving at the Parousia.' Taken hypothetically, as in the third and last case, we should have an absolutely orthodox interpretation—but, alas! at the expense of grammar, and,

it is to be feared, at the risk of exposing ourselves to the ridicule of the common enemy. The two remaining alternatives would be as unorthodox as they would be ungrammatical renderings.

So it would seem that Father Prat's suggested emendation of Jerome's text is by no means a happy solution of the problem. But this is not the only defect that is apparent in his suggestion. *Superstites* is good Latin for *survivors*, but is it a faithful rendering of περιλειπόμενοι? Whence did our eminent scholar draw that word *superstites*? Surely Jerome scores here with *residui*, as might be expected from a scriptural scholar, who was also a fluent Greek speaker. The phrase οἱ περιλειπόμενοι means 'those who are being left behind' (or 'are left behind'). It primarily implies and expresses not *survival* but *remnant* or *remainder*. It is unnecessary to elaborate this point. Certainly it is quite obvious that a rich and copious language like Greek, which is never at a loss to express any shade of meaning, had its proper word for 'survival.' To one who no longer has access to the Greek classics there rises up in the memory an old acquaintance, encountered repeatedly in the Greek orators and elsewhere, ἐπιβιώναι. This, at any rate, is the common equivalent of our word 'to survive.' Περιγίγνεσθαι, implying, as it does, escape from peril, danger overcome, survival amid perilous surroundings, presents also a more direct presentation of the idea of 'surviving' than can be rendered by περιλείπεσθαι. The latter verb formally and primarily conveys quite a different notion. By way of inference, if you like, you may deduce the idea of 'survival' from the word 'remnant.' But that is a process of reasoning, not translation in the strict sense. Paul's selected term very aptly connotes the tiny *remnant*, as contrasted with the vast multitudes of those who had already joined or were still to join 'the majority' before the great advent.

In the second part of his work, Father Prat gives incidentally an alternate version, which is not a whit more happy. In Volume II, page 505, the following rendering occurs: 'Nous les vivants, nous réservés pour [assister à] la parousie du Seigneur.'

It must be frankly stated at once that this novel idea of being '*reserved to assist* at the Parousia,' is not found in the original, περιλειπόμενοι. It is illegitimately foisted into the text; it is quite out of place, and is not only



misleading, but positively mischievous; yet, in all probability, simply due to inadvertence. It certainly is not translation, but seems like tendencial interpretation. Who, on reading this phrase as written, would not at once jump to the conclusion that St. Paul or his audience looked on themselves as specially *reserved to assist* at the great Day of Assize? And this conclusion would be based on this positively erroneous translation of *περιλειπόμενοι*, which merely denotes the *remnant*, the Christians left behind at the last day—whoever they may be—that small remainder left behind to witness the coming in glory.

Let due credit however be given Father Prat for pointing out the flaw in the tense of St. Jerome's version. Prat rightly insists that Jerome should have written: 'Nos qui *vivemus* qui residui *erimus*'; 'nous qui vivrons, qui survivrons.' Although the need of the correction is obvious to all acquainted with the theory of Greek tenses, still one is glad to see it in print. The Authorized Version would undoubtedly be improved were it to run: 'We that *shall be* alive, that *shall be* left behind at the coming.'

The use of the *present* tense in translating this famous comma Paulinum is a valuable asset to Rationalists, who affirm that Paul is here explicitly asserting his belief in the *proximity* of the Parousia. They are in a position to formulate a very simple but very insidious question. 'Tell us,' they are at liberty to query, 'who are they who, according to St. Paul's categorical assertion, will be borne away in the clouds at the last day?' And the answer, borrowed textually from the inspired writer, will be: 'St. Paul and his hearers, who, at the time of utterance, *are* alive and left behind, *reserved*, in fact, to assist at the Parousia.' Thus the erroneous use of present tense lends colour to the assertion expressly attributed to St. Paul, that 'we, *who are now alive* and left behind for the Parousia . . . shall be borne away in the clouds to meet the Lord.'

Hence it should be a matter of no small importance to establish by rigid and incontrovertible proof the accuracy of the suggested tense alteration: 'Nos qui *vivemus*, qui residui *erimus*.' This can be done by appeal to the meaning and use of Greek tenses.

The soundest theory of Greek *tempus-lehre*, which was current in philological circles some twenty-five years ago, is still in vogue in the classical world. A veteran, possibly an antiquated schoolmaster, may be pardoned for inserting

here as brief an outline as possible of these fundamental principles necessary to the development of his argument. He will be pardoned also for eliminating at the outset, after the fashion of grammarians, all consideration of future tenses, not on the score that they are late formations, but because they are beside his present purpose.

Firstly, the three Greek and Latin basic tense-stems—present, aorist, and perfect—all said to be of prehistoric origin, do not of themselves express *time*. They serve to indicate only the *quality* or *stage* of the action. Thus, present stems mark action *going on, developing itself, in stage of evolution, continuous*, therefore, or *durative*.

Aorist stems, on the contrary, serve to denote action that has reached a fixed point or stage in development, action, in fine, regarded as *concluded*. The perfect stem marks *state resulting from the concluded act*. Hence, the kind of action signified by perfect stems may be described as *resultant static*.

To put the matter graphically : if action be represented by a straight line ; when contemplated as *in process of evolution*, it may be said to move along the straight line and, to mark its continuity, it might be called *linear*. On reaching a point, so to speak, the mental photograph taken represents the action *at a point* or stage as *punctiliar*. The whole phase described or rather the *effect produced* by the act evolved, may be looked on as *resultant static*. And thus we say that perfect stems express state resulting from completed action. Hence we have three phases or stages of action represented by the three basic stems : linear, punctiliar, resultant static.

Our second fundamental principle is as follows : Of all Greek moods—indicative, subjunctive, optative, infinitive—the indicative alone besides being expressive of *kind of action*, also renders *per se* and *absolutely* the relation of *time*. So the tenses of the indicative are alone tenses (*tempora*) in the strictest sense. They alone express *absolute time*. Participles, so called because they participate (ἡ μετοχή) in the nature of verbs, and have some affinity to indicative tenses, do not express time *absolutely* ; they express only *relative time*. The present participle, for instance, when expressive of *relative time* invariably renders the relation of *simultaneity*. In other words, present participles merely re-echo *the time* of the time-expressing verb to which they refer, or are attached, with which, in fine, they must be



construed. Three examples will make this point quite clear. And let it be observed that in each the same present participle is used, whereas the time indicated varies in the first two; being *future* in one, and in the other *past*. In the last two the difference lies in *quality of the action* (durative) (concluded).

(1) οἱ παρόντες μισθὸν κομιούνται = All those *who shall be* present shall get a reward.

(2) οἱ παρόντες μισθὸν ἐκομίζοντο = All those *who were* present were receiving (or received) a reward.

(3) οἱ παρόντες μισθὸν ἐκομίσαντο = All those who were present got a reward.

Let the reader keep these time-values in mind as he examines St. Paul's words : ἡμεῖς οἱ ζῶντες, οἱ περιλειπόμενοι . . . ἀρπαγησόμεθα.

One realizes at once that if the Latin idiom be the medium of translation, we must have 'qui *vivemus*, qui *residui erimus*.' If, likewise, recourse is had, in an English version, to our relative clause, it must run : 'We, who *shall be* alive, who *shall be* left behind. . . .' This change to the future tense is an inevitable deduction from the most up-to-date principles of the Greek tense-system. There is no getting out of it, unless the theory itself be cast to the winds—a feat not easy of accomplishment! Thus one great stumbling-block is got out of the way.

Let us now proceed to examine those two clauses : οἱ ζῶντες, οἱ περιλειπόμενοι, from the standpoint of Greek syntax.

Everybody who has the least acquaintance with Greek is familiar with two well-known formulae, which may be illustrated by the following examples : οἱ μὴ πιστεύοντες and οἱ οὐ πιστεύοντες. The negative μή, in such formulae, is always *generic or conditional*. This is axiomatic in classical Greek, and should there be some exceptions in the κοινή, it will make no difference to our argument. All that needs stressing for the moment is the fact that the formula οἱ μὴ πιστεύοντες marks a *class of persons*. Being indefinite and generic it is equivalent to our expression 'all unbelievers.' On the contrary, οἱ οὐ πιστεύοντες is definite and particular, and refers to definite persons, clearly alluded to, or specially mentioned or specially present in the speaker's mind, as, e.g., Brown, Jones, and Robinson. Such is the distinction which generally prevails between these two *negative formulae*.

Now, the *affirmative* formula οἱ πιστεύοντες is generally

also treated as *generic*. It also serves to mark a *class of persons*, for instance, 'All Believers.' It would take volumes if one wanted to quote all the examples of this generic formula that turn up in Greek classics, and with generic meaning. Accordingly, the formula *οἱ πιστεύοντες* is rightly equated to *οἵτινες πιστεύουσι* [observe *indefinite relative*], or to *οἱ ἂν πιστεύωσι*. Thus might it not be found that, our clause *οἱ ζῶντες* being the equivalent of a relative clause and of one that may be equated to *οἱ ἂν ζῶσι*, we at once, and without more ado, arrive at the translation: 'We, all, that is, *who may be alive*, all *who may be left at the Parousia*.'

In such a rendering there is no trace of *nearness* of the great event. In this way it would seem that the suggestion of those who read into Paul's words an assertion of an *immediate* coming, gets exploded. At any rate the proximity myth could not be derived from such a rendering of the text.

But here a true scholar might object: 'Might not the clause *οἱ ζῶντες* be of particularist import, limiting the reference to *individuals in St. Paul's mind*? May he not be referring, for instance, to himself and his associates Silvanus and Timothy?' This objection must be received with respect; it rests on the sound principle that beside ninety-nine examples of the *generic* sort there may be one of the *particularist* order.

To this, however, there comes the fairly obvious reply that St. Paul is describing the unknown future, not the past or present, in which time-relations the particularist formula predominates. An example may illustrate this point. A Greek writer using the formulae *ὁ λέγων*, *ὁ εἰπὼν* ('the person who says'—'the person who said') might be considered to have some definite person in mind, even if he does not know the individual's name; inasmuch as there is reference to a definite act in present, or past time. Again, in the phrases *οἱ λέγοντες*, *οἱ εἰπόντες* there may be definite reference to definite utterance, though the speakers be not definitely known, though they be presented not as so many individuals, but as a *class*. But if one meets the formula *ὁ ἐρῶν*, the reference is *per se* to some indefinite person, whoever he may be, to 'any one who shall say.' At most the user of this future formula can have definitely in mind some person who has *the intention* to say, rather than the person who shall utter the dictum. Apply this



to οἱ περιλειπόμενοι, and it becomes clear that the reference is (1) to a *remnant*, and therefore to a something obviously indefinite, and (2) there is reference to the vague future, of a kind, humanly speaking, the most uncertain, namely, to a remnant *who shall be alive* at the Parousia. Thus the tenuity of probability that St. Paul had definite persons in mind and that the clause discussed is particularist, dwindles till nothing is left of it.

But the resources of syntax are not yet exhausted: so elastic is the Greek language, so multitudinous the mental moulds through which the same thought may pass; so varied the forms under which the same idea may appear.

How should we classify these two obviously gradational clauses οἱ ζῶντες, οἱ περιλειπόμενοι? Are they not adjectival adjuncts to ἡμεῖς? Now, it is a well-known fact—or at least it should be known—that the formula οἱ ζῶντες, *taken as adjectival adjunct*, is used in Greek either *as a substitute for a relative clause* or simply as *appositive*. Is it necessary to cite examples? If examples are wanted they can be shovelled out *ad libitum*, nay, even *ad nauseam*.

First, then, let οἱ ζῶντες be taken as substitute for an incidental relative clause. This supposition throws us back on the Vulgate Version *with corrected tense*.

But these adjectival adjuncts οἱ ζῶντες, οἱ περιλειπόμενοι should more probably be taken as *appositives*. And then it must be further noted that we are dealing, not with co-ordinate clauses, but with two gradational and quasi-paratactic adjuncts. They seem thrown out as appendages, in quick succession, whether as the utterances of one who is in a hurry to correct himself, or of a speaker who rapidly modifies a word that calls for prompt explanation. Greek writing had no marks for punctuation. Were stops in vogue in his day, Paul would probably here have made use of the stroke known in popular parlance as a *dash*. He would have punctuated thus: ἡμεῖς—οἱ ζῶντες—οἱ περιλειπόμενοι. This quasi-ejaculatory appositive is quite common in Greek orators, especially in connexion with pronouns like οὗτος and ἐκεῖνος. Now, since οἱ ζῶντες is appositive not to a

<sup>1</sup> Consult Robertson's huge *New Testament Grammar*. On the clauses discussed, he observes: 'Note two articles in 1 Thess. iv. 15.' He might as well have said, 'Note the clause consists of *five words*.' This sapient remark occurs in what we call a standard work of reference. I suppose he thought the second article an excrescence on the first, or possibly on ζῶντες!

singular but plural pronoun, ἡμεῖς, nothing on earth can prevent us from looking on it as a generic determinant, defining ἡμεῖς not as a particularist but as a generic formula. It is quite clear, all circumstances considered, that Paul had no particular individuals in mind, whatever be the view taken on his opinion touching the nearness of the Parousia. Hence, if the passage be construed as consisting of two gradational appositives, not co-ordinated but in serie (*seriatim*), the following reading becomes legitimate : ἡμεῖς—οἱ ζῶντες—οἱ περιλειπόμενοι εἰς τὴν παρουσίαν . . . ; and the translation must be : ‘ We, I mean, *those who shall be alive*—those who *shall be left* to the Parousia. . . .’ But in modern languages, the bracketed words ‘ I mean ’ are graphically represented by a dash. Hence the rendering works itself out as : ‘ We—such as shall be alive—such as shall be left to the Parousia.’

Thus, when Greek syntax is invoked to assist in deciphering this puzzle, St. Paul’s original text emerges without a trace of reference to the *proximity* of the Parousia.

Lastly, may it not be alleged that a plain man, who makes no pretence to expert knowledge, who simply possesses such mastery as enables him to read Greek *couramment*, as the French say, who, moreover, has no time to inquire into the possible meanings of ἡμεῖς—may it not be claimed that such a man may cut this Gordian knot by a brief reference to Paul’s rapid, lightning-like activity of thought? Paul’s intellect was intensely active, like a thoroughbred greyhound straining at the leash. His soul was on fire, and his thoughts flashed out in rapid succession. May not, then, these appositives be regarded as *corrective*? Paul, in his own rapid manner, had no sooner written or dictated ἡμεῖς than, full as he was of the predication to be made, he quickly reviews his expression, defining, explaining, limiting, nay, perhaps, *correcting*. Then follow in bold, rapid strokes, in disconnected succession, what may be regarded as *corrective appositives* and thus we get back to the translation : ‘ We—such as shall be alive—such as shall be left behind to the Parousia.’

So once again, if the appositives be *corrective*, all thought of an immediately impending Parousia is blotted out of the range of St. Paul’s vision as exhibited in this famous text.



‘*Ἡμεῖς*.

Who are the persons spoken of by St. Paul in the *first* person, among whom, at first sight, he would seem to include himself? This question is put to any thinker who has reading acquaintance with Greek.

Anyone who has lived in intimate familiarity with the writers of Hellas, and who for the first time approaches the study of the Pauline Epistles, will not have read very extensively before he realizes that the pronoun *ἡμεῖς* (we) is used in a manner quite unusual as compared with the usage of our *exemplaria Graeca*. This pronoun obtrudes itself in a variety of places, where it seems quite *redundant*, quite uncalled for, when one reflects that the speaker is an individual.

The veriest tyro who ever attempted to learn the Greek conjugations will remember that he was taught to recite *λύω, λύεις, λύει*, and he readily contrasts the French method, ‘*J’aime, tu aimes, il aime.*’ One hardly needs to mention, ‘*I love, thou lovest, he loves.*’ In the classics these pronouns of the first and second person are not used because their functions are fulfilled by verbal endings. In modern languages these pronouns are always inserted; hence the point we wish to discuss could not be thrashed out through the medium of any of our modern versions. First and second personal pronouns are omitted in Latin and Greek, except for some special purpose. Now, in reading St. Paul, one cannot help being struck by the frequent apparently anomalous use of *ἡμεῖς*. And yet the reader is well aware—he has plenty of internal evidence to convince him—that Paul handled the *κοινή* as well as most people of his time.

So one begins to seek an explanation of this anomaly elsewhere than in redundancy or want of education. A closer study of the Epistles makes it absolutely clear that St. Paul had quite a variety of reasons for his frequent use of *ἡμεῖς*.

In the Epistles one quickly learns to distinguish (1) the *ἡμεῖς* of *modesty*—when Paul, hiding as it were behind the Apostolic College, makes assertions in the name of the Apostles, or statements that he would have us apply primarily to the Apostles and, inferentially, to himself.

Then one recognizes (2) the ‘*magisterial we*,’ the ‘*we*’ of authority. Nowadays we speak of it as the ‘*editorial we*.’

Again, there is (3) the '*epistolary we*,' when ἡμεῖς is inserted to represent the speaker conjointly with the addressees of the letter.

(4) To this is closely allied the '*generic we*.'

(5) Again, there is the *corporate* ἡμεῖς, which after Paul, long lingered in the Church, and which may be read in early Christian documents. We may be permitted to point out a good instance from Justin's Apology (i. 68, 1) : καὶ ἡμεῖς<sup>1</sup> ἐπιβοήσομεν, ὃ φίλον θεῷ τοῦτο γένοιτο.—'And *we Christians* shall cry aloud : God's will be done !'

(6) Lastly, but not least, comes a constantly recurring and so seemingly redundant use of ἡμεῖς—the '*we*' of *associated authorship*.

It will be noticed that many of the Epistles are written not in Paul's name alone, but in association with co-workers, intimate disciples and followers. Thus, whereas in the Epistle to the Romans, Paul's name alone stands at the head of the letter, we find the names of Paul and Sosthenes in the First Corinthians, and in the Second the names of Paul and Timothy.

The First Epistle to the Thessalonians opens in the names of Paul, Silvanus, and Timothy. Sufficient has now been said to show that there is quite a variety of apparently redundant uses of ἡμεῖς in St. Paul, all of which on closer examination yield up their secret, their *raison d'être*.

When confronted by the enumeration just outlined of Paul's manifold use of ἡμεῖς, how difficult might it not be to state exactly which of these many varieties stands here before us in the passage ἡμεῖς οἱ ζῶντες . . . !

But chance, or should it not be said Providence, has come to the rescue. It so happens that in this Epistle the quest is quite easy.

The Epistle opens with a solemn act of thanksgiving made to God in the name of all three—Paul, Silvanus, and Timothy. Εὐχαριστοῦμεν—τὸ εὐαγγέλιον ἡμῶν (*our gospel*) μιμηταὶ ἡμῶν (*imitators of us*), εἰσοδὸν ἡμῶν (*our entrance*) ; then again, the long series of verbs in the first person plural, the repeated ἡμεῖς in *recto* and in *obliquo*—all this leaves not the slightest doubt but that Paul, in all he says to the Thessalonians, associates himself with his two fellow-workers in the vineyard. This ternal ἡμεῖς is most conspicuous

<sup>1</sup> This ἡμεῖς (*we*) challenges contrast with the vast pagan Roman world.



throughout the whole of this letter. Only once in the four initial chapters does Paul speak exclusively in his own name. When he writes *καὶ γὰρ ἔπεμψα* (and *I* sent) he is alluding to purely personal activity, an errand initiated on his own responsibility. Thus the *three* are prominently to the fore in the first three chapters. The same happens in chapter iv. right up to the paragraph in which is found the famous pericope concerning the Parousia. Even this pericope opens on the joint note; and the chorus of three voices rings out: 'For we (*three*) would not have you ignorant, brethren, concerning them that are asleep; that ye sorrow not even as the rest, who have no hope.'<sup>1</sup>

At this point the 'we' of associated authorship is suddenly dropped, and makes room for the *corporate* 'we' in *πιστεύομεν*. The *ternal* 'we' is resumed once again in the next sentence, and is then set aside throughout the remainder of this and the whole of the next paragraph, which treat of the Parousia.

'We would not have you ignorant.' Here we have the *joint wish* of all *three* who are associated in the enlightenment. 'For if *we* believe that Jesus died and rose again.' This is not the 'we' of associated authorship. Paul is speaking here in union with the whole body of believers (*οἱ πιστεύοντες*). Here he speaks as one of the *ἅγιοι*, the *ἐκκληῖται*, 'the brethren.' No *ἡμεῖς* is appended, being unnecessary. The verbal plural *πιστεύομεν* sufficiently proclaims the voice of Paul and *all believers*. 'For if *we* believe that Christ died and rose again, even so, them also that are fallen asleep in Jesus, God will bring with him.'

Next comes a special communication made on the word of the Lord—whether by oral revelation or internal inspiration is not stated—but, in delivering this special message Paul associates with himself the two companions. *Δέχομεν* he writes: 'For this we (*three*) say unto you by the word of the Lord.' Thus the solemnity of the announcement is somewhat enhanced by being made on the authority of the Lord, and by being communicated not only in his own name but in those also of his associates. Then he goes on: 'We (*three*) say unto you . . . that *we* (*believers*) who shall be alive, who shall be left to the Parousia. . . .'

It is quite obvious that the *ἡμεῖς* inserted here is not

<sup>1</sup> Contrast 1 Cor. x. 1: 'For *I* would not have you ignorant, brethren.'

the *ἡμεῖς* of *λέγομεν*; it is the *ἡμεῖς* of *πιστεύομεν*. One perceives this intuitively before initiating any process of reasoning. The *ἡμεῖς* now appearing are obviously not the *οἱ λέγοντες* of *λέγομεν*, Paul, to wit, Silvanus and Timothy; but they are the *οἱ πιστεύοντες* of *πιστεύομεν*. The reference is to believers who are steeped in steadfast faith of the resurrection. From their faith in Christ's resurrection they draw faith in their own resurrection. The *ἡμεῖς* of this passage represents Paul and all the faithful who, with him, are convinced that, as Christ rose from the dead, so they, too, shall one day rise by His power, to share in His glory.

If consistency and logical sequence of Pauline thought is to be maintained, it becomes absolutely necessary to recognize here the corporate *ἡμεῖς*, which must have been constantly on the lips of the faithful among the first generation of Christians. It is more than probable that, among themselves and in conversation with the pagan world, they used this dissyllabic 'we' to designate themselves as a class apart. Being only a small handful amid vast masses of a pagan population, the first Christians, whose unity and mutual charity were so conspicuous, would instinctively, owing to a kind of natural contrast, use *ἡμεῖς* in speaking of their body. It was the readiest mode of marking themselves off from *τὰ ἔθνη*, and especially it was the most emphatic distinction between them and the *οἱ ἀπολλύμενοι*. In short, for many years, it must have been the most popular substitute for one of the many designations then in use, *ἄγιοι*, *ἐκκλητοί*, *οἱ πιστεύοντες*, *ἀδελφοί*, none of which was yet accepted as a common distinctive badge of the nascent community. We know that the word 'Christian' was first used at Antioch, and that the appellation came probably from outside. What interval intervened before it won its way to general acceptance as the corporate name? St. Paul does not use the word *χριστιανοί*. It appears as a definite appellative in St. Peter's first Catholic Epistle.

Thus within the short compass of these few clauses referring to the Parousia, we find two uses of *ἡμεῖς*: first that of *associated authorship*, the *ternal ἡμεῖς*; then appears the *corporate ἡμεῖς*, representing all believers. The word seems purposely chosen so as to include, in the most universal and comprehensive manner, absolutely all believers.

Had St. Paul wished to claim for himself and associates exclusively—the *οἱ λέγοντες* of *λέγομεν*—the privilege of



assisting at the Parousia in their lifetime, he should have suppressed the two added asyndeta (οἱ ζῶντες οἱ περιλειπόμενοι) and the corporate ἡμεῖς as well. For the latter would then be superfluous. And his sentence must have run : λέγομεν ὅτι περιλειφθέντες εἰς τὴν παρουσίαν . . . ἀρπαγησόμεθα . . .

Again, had St. Paul wished to make the announcement attributed to him by Rationalists ; had it been his intention to predicate presence at the Parousia of *the then living Christians and himself*, two courses lay open. Either he could have retained the corporate ἡμεῖς, and suppressed the qualifying or explanatory adjuncts ; or else, instead of these *futuristic* asyndetic adjuncts, he should have inserted some clear, unmistakable and unequivocal qualification, of a kind in which Greek abounds. He could, for instance, much to the satisfaction of Rationalists, have written : ἡμεῖς οἱ ζῶμεν καὶ περιλειπόμεθα εἰς τὴν παρουσίαν . . . . He did neither ; and consequently we are forced to conclude that the predication in question is made *generically* of the corporate body of Christians (ἡμεῖς) and *specifically* of such as shall be alive at the Day of Judgment. By using the corporate ἡμεῖς St. Paul gives us to understand he is speaking of the universality of Christians. By his subsequent determinant characterization, through the instrumentality of two gradational appositives, of less comprehensiveness, yet still of generic import, and also by means of connotation of future time, he limits his statement to the *living remnant* at the last day. Here it might be objected that the subject of πιστεύομεν (we believe) is the *generic* 'we.' Seeing that this word introduces Paul's argumentation proper, as distinct from the business announcement of λέγομεν, it might be alleged that the 'we' of πιστεύομεν is wrongly described as *corporate* ; that it should be called *generic*. Certainly there are grounds for calling it an argumentative or generic 'we.' But the only persons who could argue in this way and adopt this Pauline line of thought are precisely *the believers*. So it matters little by which of these names it is called. The subject of πιστεύομεν is formally generic (being the 'we' of argumentation) ; but equivalently or inferentially it is the corporate 'we.'

To sum up. Thus far, with the help of analysis based solely on the solid foundation of well-established principles drawn from Greek syntax, as also from rudimentary textual criticism, there emerges <sub>ε</sub> what may be regarded as an

undeniably correct rendering of an oft-debated text : ' We *Christians*—those who shall be alive—those who shall be left to the coming of the Lord, shall in no wise precede them that are fallen asleep. . . . '

In this text there is neither affirmation, nor enunciation nor insinuation of the proximity of the Parousia.

It may now be asked : ' Does this passage contain an assertion of at least the *bare possibility* that Paul and his audience might survive to witness the coming in glory ? ' And the answer, I think, must be that from the analysis presented there emerges no explicit enunciation of even this possibility. It is, however, a logical inference from other Pauline statements, from other revelations concerning the Parousia. Many oft-repeated declarations of the Apostle make it evident that he was fully cognizant of the absolute uncertainty as to the time in which the great day of the Lord was shrouded. Yet he knew it would come at the end of the world. Could he, then, have excluded from his thoughts the reflection that it might come in his own lifetime ?

Ever since the days of Paul, in every generation, in every age and century, the thought of this same *possibility* has been present to the minds of Christians, more intense in the few, scarcely conscious in the many. The possibility, however remote, is always there. So it must have been in the time of St. Paul ; so it will be to the end of time. Our text does not deny this possibility ; neither does it assert it.

J. DONOVAN, S.J.



# EDMUND BURKE

By JOSEPH J. MACSWEENEY

## I

'SHAKESPEARE and Burke are above talent.' Such was the remarkable tribute which Mackintosh paid to the genius of his opponent and contemporary. Like the great dramatist, Burke possessed the power of comprehending life, and of interpreting it in the fullest manner. He was a statesman rather than a politician, and statesmanship transcends politics as literature transcends the craft of mere writing. To consider him only as a politician and to ignore his right to be considered as a man of letters would be as fallacious as to consider Milton merely as a poet and to forget that he wrote *Areopagitica*. The genius of Burke cannot be partitioned, in him the realms of statesmanship and literature unite. Burke is best thought of as a subtle philosophical thinker, whose intellect played over themes of wide range and vast import, with an unexhausted poetic fancy, a penetrating comprehension, and a passionate enthusiasm, and as applying general political ideas to concrete practical problems in a manner hardly excelled.

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Edmund Burke was born at Dublin in 1729. His father was a solicitor, and his mother's maiden name was Nagle. Edmund, like his brothers, followed the religion of his father, and the only girl remained a Catholic, which was the belief of her mother. As a child he was thus reared in an environment where his mind was early trained to recognize differences, and to form, by necessity, tolerant, if not large views. His schooling was fortunate, for he was sent to Ballitore, and placed under the care of Abraham Shackleton, a real educator, in whose hands the finely-tempered spirit of the boy was not broken. On leaving Ballitore, he went, in due course, to Trinity College,

Dublin, where, however, the routine academic life was distasteful to him. His study was desultory, and mathematics, philosophy, history, and poetry, in turn, won his attention. Goldsmith, whose statue guards with his the entrance gate of the old Elizabethan foundation, was his only distinguished contemporary, but no intimacy appears to have existed between him and the wayward sizar. During these years of University life it is pleasant to picture him, as Lord Morley does, in one of his evening strolls 'taking his way, "where Liffey rolls her dead dogs to the sea," along the wall on the shore, where he delighted to see the sun sink in the waters, gilding ocean, ships, and city as it vanished.'<sup>1</sup> Yet, despite the leisured life which this description might seem to indicate, Burke obtained his Arts degree in 1748. Two years later he crossed over to England, to pursue at the Middle Temple a course of study which was, as his friends thought, to lead to legal pursuits. But though he went to the Temple, he never reached the bar: literature called him to her pleasant fields, and his home circle was displeased to find that, at a time when he should have held his first brief, he merely held an author's pen.

His early life is not fraught with much interest: no romance hung round it which, as in the case of Goldsmith's early career, beat fiction to a frazzle. The industrious struggle to achieve success followed through obscure years. 'I was not,' he wrote in a *Letter to a Noble Lord*, 'I was not swaddled and rocked and dandled into a legislator. *Nitor in adversum* is the motto for a man like me. At every step of my progress in life (for at every step I was traversed and opposed), and at every turnpike I met, I was obliged to show my passport.'

During his first years in London, he cultivated a taste for debate, and took an interest in the drama, and it is interesting to find him, later, giving testimony to the relation of the stage to contemporary oratory, by telling the Commons that he believed there was scarcely one among them who was not in part indebted to Garrick for his oratorical skill. But Burke was no lover of the vanity of mere debate or of inane theatre-going; he had the healthy habit of spending much time at favourite country places,

<sup>1</sup> It appears to the present writer that it is physically impossible for the sun to sink in the waters of Dublin Bay as it is on the eastern coast.



where solitude and the happiness of rural life give to the mind the sense of detachment and independence which is necessary for adequately and impartially comprehending human affairs, of analysing the trend of events, and of applying general conceptions to existing needs and circumstances. It is the absence of external impulse that gives to the writings of Edmund Burke the authority of an oracle.

\* \* \* \* \*

In 1756 Burke gave to the world the first products of his pen, and about the same time he married the daughter of Dr. Nugent, a physician, whom he met at Bath, and who was, later, a member of the Club. The *Philosophical Enquiry into the Origin of our Ideas on the Sublime and Beautiful* investigated psychologically a theme which influenced the work of the author of *Laokoon*, and which had a classical precedent. His work, *A Vindication of Natural Society*, was an imitation of Bolingbroke, so successfully carried out that it deceived both Chesterfield and Warburton. The style of the work resembles that of Bolingbroke in its outward flourishes, and the book itself has in it not a little that might interestingly compare with Rousseau's *Contrat Social*. In comparison with the work of the author of the *Idea of a Patriot King* it marks acutely the transition in eighteenth century thought to political rationalism. The work fixed the life-long cast of Burke's mind, for he perceived that an unrestrained and purely intellectual criticism of social institutions would wreck the fabric of civilization itself.

Minor literary work, and finally his connexion with the *Annual Register*, brought him prominently under the notice of public men, till at length he was introduced to William Hamilton. The introduction was hardly of permanent advantage. Burke accompanied Hamilton to Ireland in some minor, perhaps secretarial, capacity, when the latter went there as Secretary under the Halifax Government. In his homeland he received, through the influence of Hamilton, a pension on the Irish establishment; but when his patron sought to have his industry and knowledge permanently at his own disposal, the young man, conscious of his power, broke off a connexion which could not but place a barrier in the path of his progress.

With his Irish career terminated, Burke was fortunate

in receiving from the Marquis of Rockingham the offer of a private secretaryship. The Marquis was the head of the new ministry of Whigs that had succeeded the Grenville administration, but which was not remarkable for the intellectual talents of its members. To such an administration Burke was an inestimable boon, but preferment did not come without opposition. Rumour ran her malignant course: he was a Jesuit in disguise, an Irish adventurer, a spy educated at St. Omer, and, to crown all, his real name was not Burke, but O'Bourke.<sup>1</sup> Though the Duke of Newcastle aided in disseminating such falsehoods, yet the confidence of Rockingham in Burke was not shattered thereby but rather strengthened, and their friendship remained unbroken till it was severed by death. The private secretaryship placed Burke in the very centre of political influence, and his election to the pocket-borough of Wendover, through the influence of Lord Verney, placed him in direct contact with the House of Commons. His speech on the Declaratory Resolutions gave him an independent political reputation, and it mattered little to him that the Rockingham administration fell. He could, had he so desired, have taken office with the new government, but he has described, in language bordering almost on an abuse of diction, his reasons for not doing so:—

Chatham made an administration so checkered and speckled; he put together a piece of joinery so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tessellated pavement without cement, here a bit of black stone and there a bit of white; patriots and courtiers; king's friends and republicans; Whigs and Tories; treacherous friends and open enemies; that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on.

Out of office, however, he helped the Rockingham Whigs by crossing swords with Grenville in his *Observations on the Present State of the Nation*. Grenville was then the established authority in matters economic, but Burke, in this work, revealed himself as a master of detail as regards the economic and commercial relations of the nation. The superficial cries, the cheap sneers, by which men, who boast themselves eminently practical, try to down opponents such as Burke, could not avail, for with flashes of rare genius he lit up his subject in a manner with which

<sup>1</sup> Morley, *Life of Burke*.



Grenville's duller method could ill compare, making it straightway apparent that he combined literary power with knowledge of detail.

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About this time in his career some light clouds gather around his life. His action in not accepting office, and his purchase of the land and house at Beaconsfield are thought inconsistent with the resource of his purse. Sir Joseph Napier, however, has, I believe, dispelled for all, except the malevolent, any taint on Burke's honour. He never did, nor never would, accept public office like a bird of prey, and Mr. Birrell has jestingly remarked that he got the money for purchasing Beaconsfield 'after an Irish fashion—by not getting it at all.' His visible means of livelihood and his political prospects guarantee the honourableness of his actions, and it were wrong, as a consequence, to pry unduly into the private facts—not wholly inexplicable—attaching to the life of this altruistic man—this man whose services gold could not buy, nor jealousy obscure.

At a time when Burke was laying the foundations of his own personal well-being, the rapid changes of government, and the popular movement that centred around the name of Wilkes, indicated the internal weakness of the country. Chatham had, it is true, raised the power and prestige of England, but the hatred for the Scotch, the unseemly struggle for power among the oligarchs, the strained relations between the King's friends and his enemies, and, in America, the faint whispering of the coming storm, foretold the danger of national dissolution. Burke's *Thoughts on the Present Discontents* displays no mere curious interest in the confused whirl of turbulent events—he sought a remedy for the national crisis. He saw in the attempt to deprive Wilkes of his seat in Parliament the possibility of the abolition of the Opposition and the revival, in the name of the Commons, of the dispensing and suspending power of an absolute monarchy. The Opposition being bound up with the idea of party government, the principle underlying his work is the principle underlying his defence of party. His work, whatever may have been its effect on the Executive, remains as a permanent analysis of constitutional principles and systems of government. In *A Vindication of Natural Society* Burke was plainly under the influence of Rousseau; in this work he

applied the historical method of Montesquieu to combating the philosophy of Bolingbroke. Law and the Constitution could not, he considered, be examined in isolated political phenomena, nor could the law or the principles of the Constitution be applied without taking into account the state, the whole system of society, to which they related. In the idea of economy in politics Burke found the function of statesmanship, and he found in the judicious application of the laws their greatest efficacy. To doctrinaire conceptions of a constitution he was opposed, and he was a conservative from intellectual conviction, because he had examined the laws historically and had come to regard the Constitution as a complex living organism woven into the very fabric of society itself. The work ends, as is well known, with a defence of Party, which he defines as 'a body of men united for promoting, by their joint endeavours, the national interest, upon some particular principle in which they are all agreed.' The defence was based on the principle that 'when bad men combine the good must associate'; and on the idea of efficiency in government derived from the principles held by the great Junto of a former reign: 'They believed that no men could act with effect, who did not act in concert; that no men could act in concert, who did not act with confidence; that no men could act with confidence who were not bound together by common opinions, common affections, and common interests.' Against one of the specious objections to Party, he wrote:—

It is an advantage to all narrow wisdom and narrow morals that their maxims have a plausible air; and on a cursory view, appear equal to first principles. They are light and portable. They are as current as copper coin, and about as valuable. They serve equally the first capacities and the lowest; and they are at least as useful to the worst men as the best. Of this stamp is the cant of *Not men but measures*; a sort of charm by which many people get loose from every honourable engagement. When I see a man acting this desultory and disconnected part, with as much detriment to his own fortune as prejudice to the cause of any party, I am not persuaded that he is right; but I am ready to believe he is in earnest. But when a gentleman, with great visible emoluments, abandons the party in which he has long acted, and tells you it is because he proceeds upon his own judgment; that he acts on the merits of the several measures as they arise; and that he is obliged to follow his own conscience, and not that of others, he gives reasons which it is impossible to controvert, and discovers a character which it is impossible to mistake. What shall we think of him who never differed from a certain set of men until the moment they lost power, and who never agreed with them in a single instance afterwards.



These words have indeed a greater significance than in their mere relation to party, for they apply with equal force to the *esprit de corps* that should prevail, in a greater or less degree, among all men who have entered into honourable connexions. Thus, when a man performs an action in opposition to the interests and *esprit de corps* of, say, an institution or corporation, and defends his action on the merit of the case, or by saying his conscience forbade him act otherwise, the reason cannot be controverted or the character mistaken.

Burke, as I have previously remarked, sought in his *Thoughts on the Present Discontents* a remedy for the latter. He suggested the abolition of rotten boroughs and a more direct control by the constituents over their members of Parliament. In a particular manner it was his endeavour to remedy what he called the distempers of Parliament, and not to 'suffer that last of evils to predominate in the country: men without popular confidence, public opinion, natural connexion, or mutual trust, invested with all the powers of government.' What, however, influenced home politics more than the eloquence of Burke, and influenced perhaps France more than the writings of Rousseau and the Encyclopædists—without which Paine might have been ignored and Robespierre remained a provincial lawyer—was the affray at Lexington. It must appear, therefore, a matter of irony that Burke, one of the few men who had a real insight into the trend of events in the Colonies, was offered at this time the Chairmanship of an Indian Commission. Had he allowed himself to be sidetracked, for that was what the offer really amounted to, the Rockingham Whigs would have been dissolved, and foreign events and home politics might have been considerably altered.

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About this time he visited France, where, having left his son at Auxerre, there was opened up to him a new vision of the literary and political world. In Paris Madame du Deffand introduced him to the gay life of the salons, where he met the Duchess of Luxembourg, and she who belonged to another school, Mademoiselle de l'Espinasse, the letter-writer. He also came into contact with Diderot, whose school of thought was to aid in plunging into night the society which the court of Versailles crowned; the court at which, in the open air, he caught that vision of the Dauphiness, which inspired the most eloquent passage in

the *Reflections*. But his political insight enabled him to penetrate beneath all the gay glitter of Parisian life to the realities underlying it. He was under no illusion, and when he returned to England he inveighed against the speculative tendencies of rationalistic thought in his speech on the *Relief of Protestant Dissenters*. He had seen men of letters, in France, wield the pen without any sense of moral responsibility, and he foresaw, as few foresaw, the result. It is to this French experience, I think, can be traced the following words :—

Without any considerable pretensions to literature in myself, I have aspired to the love of letters. I have lived for a great many years in habitudes with those who professed them. I can form a tolerable estimate of what is likely to happen from a character chiefly dependent for fame and fortune on knowledge and talent. . . . Naturally, men so formed and finished are the first gifts of Providence to the world. But when they have once thrown off the fear of God, which was in all ages too often the case, and the fear of man, which is now the case, and when in that state they come to understand one another, and to act in corps, a more dreadful calamity cannot arise out of hell to scourge mankind.

Such men often become the darlings of the society they are about to undermine, because they obscure the immediate and ultimate issues of their striving by the adoption of subtle tactics.

They are ready to declare that they do not think two thousand years too long a period for the good they pursue. . . . Their humanity is at their horizon—and, like the horizon, it always flies before them.

I have said he was under no illusion after his visit to France, but he was certainly depressed. From this depression he was, however, relieved by the elections of 1774. He became involved in them, and had the great honour conferred on him of being asked by certain of the citizens of Bristol to contest one of their seats. His candidature was successful, and his speech at the declaration of the poll was equal to the occasion. The usual jars and ungracious incidents of elections had happened—the attempt to spoil votes, the appeal to popular prejudices, and the irritations that arise from the new-born familiarity that demands support where previous connexions do not exist to justify it. Mr. Cruger, the other successful candidate, promised to obey implicitly the mandates of the electors. Burke rose to a higher plane, and maintained his right to exercise his independent judgment, even though that judgment found no approval with his constituents. ‘Your



representative,' he said, 'owes you, not his industry only, but his judgment, and he betrays, instead of serving you, if he sacrifices it to your opinion.' Burke knew very well that the popular franchise has a practical, because necessary, use, but he wished to have it strongly inferred that the voice of the people is not the absolute measure in all cases of right and wrong. Men of Burke's calibre must make a stand for this principle, lest, as he himself finely expressed it, the people be left 'a most contemptible prey to the servile ambition of popular sycophants.' A false Liberalism often accentuates this attitude as a conservative restriction on liberty, but its real function is to prevent the uncontrolled application in a pernicious form of a principle, which, if unchecked, would encourage insincerity in politics and in the literature of popular appeal the dominant note of eroticism.

During his connexion with Bristol he had to adopt another attitude, equally courageous to that which he adopted on the hustings, but this time in connexion with the affairs of America, and pointed at those who made a malady of reconciliation. The *Speech on American Taxation*, the *Speech on Conciliation with America*, the *Address to the King*, and the *Letter to the Sheriffs of Bristol*, are thus all of a piece, and relate intimately to the relations which should exist between the component parts of a great empire. What characterizes all these speeches and writings is the unflinching manliness with which they tell the truth in hostile circumstances, and accordingly the high intellectual plane on which they are conceived. To curb the excesses of national pride is as difficult as it is at times a dangerous task, because men whose *presumptuous ignorance* and *insolent passion* engender a spurious and delirious patriotism (if that precious word may be used in such a setting) regard the moderation that will alone guide the national destinies to honourable and safe ends as in itself approximating to a kind of treason. 'It is not,' wrote Burke, 'what a lawyer tells me I may do, but what humanity, reason, and justice tell me I ought to do.' The main outline of his attitude finds ready expression. He regarded the Colonies as free, the war as a civil war, the object 'an attempt made to dispose of the property of a whole people without their consent.' Above all, he feared the reaction of the struggle on the free institutions at home. 'To leave any real freedom to Parliament, freedom must be left to

the Colonies. A military government is the only substitute for civil liberty. That the establishment of such a power in America will utterly ruin our finances is the smallest part of our concern. It will become an apt, powerful, and certain engine for the destruction of our freedom here.' The lack of will to settle by constitutional means the grievances in the first instance, the call for unconditional obedience when there was recourse to arms, and the use of the mercenary sword, brought about the complete alienation that shattered his cherished plan of keeping a way open for conciliation. In supporting this conciliatory policy he was in opposition to the false popular trend, but he was not in opposition through personal pique, and against those who differed from him he had no ill-thoughts—for broadmindedness is as much a compound of charity as it is the outcome of the highest intellectual gifts. Indeed the high attitude he sustained towards affairs is evident from the just, the manly passages, that close the *Letter to the Sheriffs of Bristol* :—

I hope there are none of you corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the public stage are all alike; all equally corrupt; all influenced by no other views than the sordid lure of salary and pension. The thing I know by experience to be false. Never expecting to find perfection in men, and not looking for Divine attributes in created beings, in my commerce with my contemporaries I have found much human virtue. I have seen not a little public spirit; a real subordination of interest to duty and a decent and regulated sensibility to honest fame and reputation. The age unquestionably produces profligates and insidious hypocrites. What then? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it? The smallness of the quantity only heightens the value. They who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. . . . But my credulity and want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims; I trusted to profession when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption, ought to remember that he is sure to convict only one. In truth, I should much rather admit those whom at any time I have disrelished the most, to be patterns of perfection, than seek a consolation to my own unworthiness in a general communion of depravity with all about me.

The passage, apart from illustrating Burke's didactic



style, gives evidence to the sense of justness that probably informed his ideas when he came to deal with Economical Reform. To him the question of mere economy must have been of less importance than the purification of Parliamentary life, for the whole Constitution was in danger of becoming atrophied by the accretions of sinecures and useless offices which formed at its very heart. But his scheme of reform could not, in the nature of things, be carried to its logical conclusion, and he became involved in the welter of politics consequent on the defeat at Yorktown and the fall of North. But the fact that he was only given the subordinate post of Paymaster in the Rockingham Whig administration, and that, with both Fox and Ashburton, he refused to serve under Shelburne, causing thereby the split in the Whigs that led to the formation of the unnatural coalition, and ultimately to the restoration, in the person of the younger Pitt, of a King's minister to power, are comparatively insignificant, in comparison with the impeachment he undertook, in which certain principles, involving a high moral attitude in the government of native races, were first enunciated.

JOSEPH J. MACSWEENEY.

*[To be concluded.]*

# DOCUMENTS

## THE IRISH CAPUCHIN MARTYRS

### INTRODUCTION OF THE CAUSE OF Fr. FIACRE TOBIN, O.S.F.C., OF KILKENNY, AND Fr. JOHN BAPTIST DOWDALL, O.S.F.C. OF ULSTER

On the 19th inst. his Grace the Archbishop of Dublin received letters from the Sacred Congregation of Rites, containing (1) the Decree (23 July, 1919) introducing the Cause of the two Irish Capuchins who, it is claimed, died for the Faith; (2) the Decree of the Sacred Congregation of Rites (13 August, 1919) joining the Capuchin Cause to the general Cause of the 258 Irish Servants of God, introduced on 12 February, 1915; (3) the Articles put forward by the Capuchin Postulator-General to be established by witnesses; (4) the sealed *Interrogatoria* of the *Promotor Fidei* (the Devil's Advocate) on which every witness will be examined and which must be kept secret during the Process.

These documents mark the formal beginning of the Apostolic Process of these two Servants of God, and any further steps taken in their Cause must be taken by delegation of the Holy See, or with its consent.

As already stated in the I. E. RECORD (July, 1918, Fifth Series, vol. xii. p. 73) the Informative Process of these two Servants of God was begun before his Grace the Archbishop of Dublin on 28 May, 1917. The first Session for taking evidence was held on 4 June, and the whole Process, already translated into Latin in Dublin, was in the hands of the Sacred Congregation on 6 November, 1917.

Now, two years after the opening of the Informative Process, the Commission for the opening of the Apostolic Process has been signed, and it must deeply gratify the Irish Capuchin Fathers and their Postulator-General, Father Raphael of Vallesinaria, that, within a period of time which must nearly constitute a record, these two Irish Capuchins have been given their rightful place amongst their fellow-sufferers for the Faith.

As Father Fiacre Tobin died in 1656, his cause will come under Process and Period IV, whilst the cause of Father John Baptist Dowdall, who died in 1710, falls under Process and Period V.

The leading facts of their lives are set forth in the Documents received from Rome (see also Cardinal Moran's *Persecutions of Irish Catholics*, pages 133-140 and 386-387). Quite recently Father Angelus, O.S.F.C., found at Troyes the Profession Book which records the profession of Father John Baptist Dowdall, and which shows that Father Dowdall was a native of Glaspistol, near Termonfeckin and Clogher Head.



(I)

DECRETUM

DUBLINEN.

BEATIFICATIONIS SEU DECLARATIONIS MARTYRII  
SERVORUM DEI

FIACRII TOBIN A KILKENNIA

ET

IOANNIS BAPTISTAE DOWDALL AB ULTONIA

ORDINIS MINORUM S. FRANCISCI CAPUCCINORUM

IN HIBERNIA PRO FIDE, UTI FERTUR, INTEREMPTORUM.

Invicto agmini biscentum quinquaginta septem Servorum Dei, de quorum martyrii fama causa Dublinensis die 12 februarii anno 1915 introducta fuit, accenseri non potuerunt duo sacerdotes e Franciscali Familia Capuccinorum, nempe FIACRIUS TOBIN A KILKENNIA et IOANNES BAPTISTA DOWDALL AB ULTONIA, quia in Actis illorum Processualibus nec testes de his rogati fuerunt, nec documenta exhibita, praesertim ob repentinam Postulatoris Dublinensis mortem. Verum huiusmodi mora praesenti Causae potius favere quam nocere visa est, siquidem novae Inquisitioni et disceptationi parata et strata apparuit via, prioris causae vestigia sectando.

Recentior insuper Processus in eadem curia Dublinensi confectus, et Sacrae Rituum Congregationi traditus, complet primum, et testimonia ac documenta continet, quae ad duos praedictos Dei Servos eorumque martyrii famam referuntur. P. FIACRIUS TOBIN, furente persecutione Kromwelliana, anno 1656, et P. IOANNES BAPTISTA DOWDALL, Anna regnante, anno 1710, pro fide, uti asseritur, occubuerunt. De utroque Servo Dei, prouti mos est, aliquid innuere libet.

FIACRIUS TOBIN, Kilkenniae natus, adolescens in Ordine Capuccinorum cooptatus, Carolopoli [Charleville], in Gallia, ubi idem Ordo coenobium habebat, missionibus catholicis Hiberniae augendis destinatum, sedulam navavit operam studiis philosophicis ac theologicis. Iussu superiorum anno 1646 in patriam suam reversus, Spiritu Dei plenus et sana doctrina instructus, fidem catholicam bonosque mores apud Hibernas gentes propagavit. Anno 1650 deditione urbis Kilkenniae peracta in potestatem Kromwelli, aufugientibus ceteris de clero, ipse cum suo converso et altero sodali e Fratribus Minoribus, intrepidus ibi remansit, ut catholicis verbo et opere prodesset, sacramenta ministraret et aegrotis, praesertim lue grassante, inserviret. Quinque post menses ab haereticis captus et in carcerem coniectus, dum supremum supplicium expectabat, gratiam apud custodem carceris adeo invenit ut Missam celebrare sacrumque ministerium catholicis praestare potuerit. Quin imo, instantibus proceribus, Praefectus civitatis eum libertate donavit intra fines tantum urbis.

Vertente anno 1653, promulgata lege expulsionis universi cleri ab Hibernia, ipse eandem sortem subire illamque insulam relinquere coactus,

Galliam adivit. Sed eo vix appulit, assentiente Commissario generali missionis Hiberniae, in hanc Insulam regressus est. Illic per biennium apostolicos labores in Dei gloriam et salutem animarum impendit. Ineunte anno 1656, in quadam agresti via ab altero ex iis, qui, promisso praemio illecti et religionis odio agitati, sacerdotes catholicos inquirebant ad perniciem comprehensus et ligatus, ad Hewsonium, Dublini Praefectum, rapitur.

A iudicibus in tribunali sedentibus interrogatus aperte et ingenue fatetur se esse sacerdotem ex Ordine Capuccinorum, suamque fidei professionem christiana libertate profert: 'Rediisse—dicit—in Hiberniam, ut sanguine suo testimonium fidei catholicae perhiberet, nullamque ab eis, tot iam martyrum cruore pollutis, misericordiam expectare; unum sibi esse in votis, ut lege, etsi iniquissima, agerent, ipsi, quo sibi vitam daretur, in agone profundere.' Ne eius ad mortem damnatio magis in fide confirmaret catholicos, iidem iudices capitalem sententiam cum durissimo exilio in Insulas Barbados commutarunt; et donec propitia se offerret occasio ad ea loca navigandi, Servum Dei ligatum in carcerem mittunt, eumque custodibus tradunt saevitiis excruciantum.

Post mensem eductus est navique impositus, etsi febris laboraret. A portu Dublini solvunt navigantes, qui biduo post, exorta tempestate, in portum Waterfordiensem se recipiunt, ibique, perdurantibus ventis itineri adversis, consistere debent.

Quanam fuerit per id temporis conditio Servi Dei describitur in epistola a P. Bernardino, Commissario Ordinis Capuccinorum, e loco Montis Sancti missa sub die 20 iulii 1656 ad Sacram Congregationem de Propaganda Fide: 'In navi—ibi legitur—velut in carcere catenis onustus, rebus omnibus expoliatus, detinetur Servus Dei FIACRIUS, eique, inter rigidiores hyemis inclementias, duri asseres erant febricitanti corpusculo, cervical lignum, putris et purulenta aqua potus, pisa semicocta et pauca reliquum nutrimentum.' Cunctas hasce aerumnas pro Christo patienter toleratas, sequuta est mors P. FIACRII, quam idem Commissarius ita evenisse narrat: 'Ex navi et illa haereticorum catenis migravit in caelum, haud dubium, martyr, saltem caritatis et voluntatis, die 6 martii anni 1656.'

Cum hac relatione Commissarii concordant *Acta Processus Dublinensis, Bullarium Ordinis Capuccinorum et Historia persecutionum Hibernarum, edita a cl. me. Cardinali Moran.*

Alter heros, pari laude dignus, P. IOANNES BAPTISTA DOWDALL, ex Ultonia oriundus, genere et censu clarus, mundi oblectamentis divitiisque spreto, pro Christi amore et imitatione Ordinem Capuccinorum amplexatus est. In missionibus Hibernis quadraginta et amplius annos adlaboravit. Deo eo adhuc vivente P. Andreas Nugentius, missionis Praefectus, anno 1708, ad S. Congregationem de Propaganda Fide scribebat: 'Venerabilis Pater IOANNES BAPTISTA DOWDALL, octogenarius vir, animarum zelo accensus ac missionarii muneri totus addictus a quadraginta annis, mirum quam insignes proventus retulerit. Multos haereticos ad fidem perduxit, permultis regni proceribus orthodoxis sacramenta administrat, omnibus ob morum gravitatem gratissimus existens.'



Sub Anna regnante, anno 1702-1714, acrior exarsit persecutio in catholicos, maxime in sacerdotes et religiosos, praesertim si eos professione protestantes ad catholicam fidem reduxissent. Tunc enim capitalis poena erat indicta per specialem legem, anno secundo reginae Annae latam, cui nomen et finis erat: 'Actus ad praeveniendum ulterius Papismi incrementum' [An Act to prevent the further growth of Popery]. Sed strenuus missionarius, Apostolico suo ministerio intentus, absque metu et tremore omnem operam adhibuit ad conversionem hominum salutariter promovendam, ideoque a Cardinali Moran meruit appellari: 'Insignis prae multitudine haereticorum quos reduxit in sinum Ecclesiae Catholicae.'

Hae de causa, pluries ab haereticis comprehensus et toties in tetrum carcerem reclusus, diras pro Christo sustinuit inedias. Ob conversionem ab eo factam illustris matronae, instigantibus huius consanguineis, Servus Dei in ergastulum Londinense translatus est, ibique fame et frigore consumptus, inter diros et acerbos ergastuli dolores, et impias in Deum nocentium voces per genus novum martyrii vitam emisit, vitamque invenit aeternam martyrii laurea decoratam Londini, in Anglia, anno 1710. Ita *Annales Capuccinorum Hiberniae*, conscripti a P. Bonaventura Donnely, Capuccinorum Hiberniae Definitore, anno 1741; necnon Cardinalis Moran in citato opere *De persecutione catholicorum Hibernorum: Fr. Ioannes Baptista Dowdall, Ultoniensis et Bullarium Ordinis Capuccinorum*.

Haec et alia, ex actis Processualibus et documentis authenticis deprompta, Sacrae Rituum Congregationi tamquam valida argumenta subiecta sunt ad probandam martyrii famam, quam ambo Servi Dei inde ab obitu consequuti sunt, eo quod carceres, exilia, aerumnae illos in mortem, ex communi opinione, adduxerunt. Itaque eiusmodi fama martyrii in dies magis inclarescente et vigente, super qua Processus Informativus Dublini confectus est, quum omnia, servato iuris ordine, parata sint ut ad ulteriora procedatur, instante Rmo P. Raphaële a Vallefinaria, Ordinis Minorum Capuccinorum Postulatore Generali, attentisque litteris postulatorii in priori Causa Dublinensi iam exhibitis, novisque hos viros Dei Fideles respicientibus, Efmus et Rfmus Dñus Cardinalis Vincentius Vannutelli, Episcopus Ostiensis et Praenestinus, Sacri Collegii Decanus et huius Causae Ponens seu Relator, in Ordinariis Sacrorum Rituum Congregationis comitiis ad Vaticanas aedes coacto, sequens dubium discutiendum proposuit: *An sit signanda Commissio Introductionis Causae in casu et ad effectum de quo agitur?*

Et Efm ac Rfm Patres sacris tuendis ritibus praepositi, post relationem eiusdem Efm Cardinalis Ponentis, audito voce et scripto R. P. D. Angelo Mariani, Fidei Promotore Generali, omnibus sedulo perpensis rescribendum censuerunt: *Affirmative seu signandam esse Commissionem introductionis Causae, si Sanctissimo placuerit*, die 22 iulii 1919.

Quibus omnibus Sanctissimo Domino nostro BENEDICTO Papae XV per infrascriptum Cardinalem Sacrae Rituum Congregationi Praefectum relatis, Sanctitas Sua rescriptum Sacrae eiusdem Congregationis ratum habens, propria manu signare dignata est Commissionem Introductionis Causae *Dublinen. Beatificationis seu Declarationis Martyrii Servorum Dei*

FIACRII TOBIN A KILKENNIA *et* IOANNIS BAPTISTAE DOWDALL AB ULTONIA,  
*Ordinis Minorum S. Francisci Capuccinorum*, die 23 eisdem mense et  
 anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
*S. R. C. Praefectus.*

ALEXANDER VERDE, *S. R. C. Secretarius.*

L. ✠ S.

(II)

## DUBLINEN.

### BEATIFICATIONIS SEU DECLARATIONIS MARTYRII SERVORUM DEI

FIACRII TOBIN ET JOANNIS BAPTISTAE DOWDALL,  
 ORD. MIN. S. FRANCISCI CAPUCCINORUM  
 IN HIBERNIA

PRO FIDE, UTI FERTUR, INTERFECTORUM

Resoluto feliciter dubio, editoque Decreto de Causa ineunda Servorum Dei Fiacrii Tobin et Joannis Baptistae Dowdall ex Ordine Minorum Capuccinorum in Hibernia, Rñus. P. Raphael a Vallefinaria ejusdem Ordinis Postulator Generalis Sanctissimum Dominum Nostrum BENEDICTUM PAPAM XV supplicibus votis deprecatus est, ut Causa horum Servorum adjungatur alteri Causae Dublinensi anno 1915 iam introductae, ac proinde hi duo Servi Dei Tobin et Dowdall aliis omnibus superioris Causae additi, simul cum illis per ulteriorem et unicam Inquisitionem de eorum martyrio causa martyrii, signis ac miraculis conjungantur, propositis etiam pro his binis Dei famulis interrogatoriis de cultu numquam iisdem exhibito.

Sanctitas porro Sua, referente infrascripto Cardinali Sacrae Rituum Congregationi Praefecto, attentis expositis peculiaribus adjunctis, benigne annuere juxta preces dignatus est. Contrariis non obstantibus quibuscumque. Die 13 Augusti 1919.

✠ A. CARD. VICO, Ep. Portuen., *Praef.*  
 ALEXANDER VERDE, *S. R. C. Secretarius.*

L. ✠ S.

(III)

## DUBLINEN.

### BEATIFICATIONIS SEU DECLARATIONIS MARTYRII SERVORUM DEI

FIACRII TOBIN A KILKENNIA  
 ET

JOANNIS BAPTISTAE DOWDALL AB ULTONIA

ORDINIS MINORUM S. FRANCISCI CAPUCCINORUM, IN HIBERNIA  
 PRO FIDE, UTI FERTUR, INTEREMPTORUM

Positiones et Articulos infrascriptos dat, facit, exhibet atque producit P. Raphael a Vallefinaria, Postulator Generalis O.M. Capuccinorum



ad docendum de praefatorum Dei Servorum martyrio in specie, et petit illas sive illos in Curia recipi et admitti simulque testes super iis vel super aliquo ex illis inducendos examinari, et documenta ad rem facientia ex archivis educi, recognosci et in acta compulsari juxta legitimas formulas, non se tamen adstringens ad onus superfluae probationis, de quo etc., non solum etc.

Itaque ponit et probare vult et intendit :—

DE P. FIACRIO TOBIN.

1°. Qualiter veritas fuit et est quod Dei Servus P. Fiacrius Tobin Kilkenniae ortus, adolescens inter Capuccinos cooptatus, in civitate Carolopoli in Gallia studiis operam dedit. Anno 1646 ex illa urbe in qua Ordo Capuccinorum coenobium habebat ad Hibernicas missiones alendas, in patriam suam missus est, ubi fidem catholicam et morum probitatem verbo et opere in eo populo mirabiliter promovit.—Sicuti declarabunt testes, sive ex fama publica illa didicerint, sive ex documentis quae precise indicabunt.

2°. Qualiter veritas fuit et est quod anno 1650 cum civitas Kilkennia dedita est Cromwellio cumque clerus universus inde aufugisset, ipse ibi remansit ut ministerium suum praeberet catholicis et peste, quae tunc saeviebat, affectis inserviret. Post aliquot menses capitur ab haereticis et in carcerem conjicitur, ex quo, sub fidem praestantium e civitate Catholicorum, dimissus, tamen inter pericula perrexit apostolicum ministerium impavidus exercere.—Sicuti declarabunt testes, etc.

3°. Qualiter veritas fuit et est quod anno 1653 ne catholicis qui pro se fidem suam interposuerant ultio immineret ab haereticis, cum lata lex est qua clerus universus tota Hibernia ejiciebatur, venit in Galliam. Quo vix appulit, litteras misit ad Commissarium Generalem Missionis Hibernicae veniam petens eo redeundi optime sciens se morti, ab illa lege indictae, si denuo caperetur, fore occurrurum.—Sicuti declarabunt testes, etc.

4°. Qualiter veritas fuit et est quod, accepta venia revertendi in Hiberniam, eo statim remeavit Fiacrius ubi in persecutione Cromwelliana truculentissima strenuum et perutilem laborem posuit per tres fere exinde annos, illud tantum aliquantulum aegro ferens quod cogeretur pecunia uti et saecularem habitum gestare.—Sicuti declarabunt testes, etc.

5°. Qualiter veritas fuit et est quod cum per agros et suburbana loca saepe ministerium suum catholicis praeberet, conspectus ab altero ex iis Anglicanis equitibus qui proposito praemio Sacerdotes catholicos ubique inquirebant, et cognitus quis esset, comprehensus est ab eodem et omnibus suis rebus spoliatus, ligatusque raptus est ad Hewsonium Dublini praefectum, a quo et a Judicum caetu interrogatus professionem suae fidei suique ecclesiastici muneris apertissimam edidit.—Sicuti declarabunt testes, etc.

6°. Qualiter veritas fuit et est quod latam in eum capitalem sententiam, prouti iniquissimae leges ferebant, commutarunt Judices in servitutem perpetuo serviendum in insulis *Barbados* sub Anglo haeretico domino, tum ut illi lentiores infligerent mortem praesenti celerique

duriores, tum ne ejus martyrio sanguinis catholici magis in fide confirmarentur.—Sicuti declarabunt testes, etc.

7°. Qualiter veritas fuit et est quod Dei Servus dum occasio adesset navigandi ad eas insulas in quas erat deportandus, interim in carcerem conjectus est in quo aliquod tempus permansit saevissime habitus, ut erat mos cum catholicis fidei confessoribus, tum etiam quia illa erat conditio carcerum illius et secuti etiam temporis, ut vinculis detenti atrociter vexarentur omni saevitiei genere, ut facillime et fere necessario morbos contraherent et brevi vitam amitterent.—Sicuti declarabunt testes, etc.

8°. Qualiter veritas fuit et est quod Dei Servus morbo affectus eductus est e carcere et navi impositus ut deportaretur ad locum sui exilii suaeque perpetuae servitutis. Cum autem navis e portu Dublini solvisset, post biduum navigationis foeda coorta tempestate coacta est in portum Waterfordiae sese recipere.—Sicuti declarabunt testes, etc.

9°. Qualiter veritas fuit et est quod contrariis semper flantibus ventis coguntur consistere in illo portu, dum Dei Servus in eo fluctuante carcere vinculis oneratus et habitus uti mancipium, crudelissima ratione tractatus ab haereticis nullo modo poterat curationem aliquam morbo adhibere cum pro lectulo tabulas haberet, in cibum pisa pauca et semicocta, in potum aquam saepe purulentam, neque subsidium aliquod afferre catholici poterant quia ab haereticis inhumaniter pellebantur.—Sicuti declarabunt testes, etc.

10°. Qualiter veritas fuit et est quod Dei Servus in illa tam atroci rerum conditione totam hyemem ejus anni pertransiit sperans se in loco etiam sui exilii et servitutis aliquam, uti posset, daturum operam ministerio suo sicuti missionarium et bonum Christi militem. Interim admirabile exhibebat constantiae exemplum inter illas immanitates quae post quintum captivitatis mensem ejus mortis causae fuerunt in illa ipsa navi, vel probabilius in carcere Waterfordiae quo in vitae extremis fuisset translatus.—Sicuti declarabunt testes, etc.

#### DE P. JOANNE BAPTISTA DOWDALL.

11°. Qualiter veritas fuit et est quod P. Joannes Baptista Dowdall Ultoniae anno 1626 ortus ex catholicis ac divitibus parentibus cuncta pro Christo reliquit se pauperem faciens inter Capuccinos. Sacerdotio consecratus in Missionibus Hibernicis incredibili animarum studio adlaboravit tum inter catholicos quos in fide confirmabat, tum inter haereticos quorum multos inter pericula et persecutiones ad veram fidei professionem adduxit.—Sicuti declarabunt testes, etc.

12°. Qualiter veritas fuit et est quod hisce de causis saepe ab haereticis captus et in tetrum carcerem conjectus acerrimas pertulit saevitias, inedia afflictus, paedore carcerum et omni necessariorum rerum inopia, quae minime valuerunt ardentem ejus zelum vel minimum extenuare.—Sicuti declarabunt testes, etc.

13°. Qualiter veritas fuit et est quod ad extremam usque aetatem in hisce gravissimis laboribus et certaminibus perstitit donec cum annum ageret circiter octuagesimum quartum, ob conversionem cujusdam nobilis



Calvinianae matronae captus postremo et in Londinense egastulum conjectus anno 1710, ob ejus carceris miserias et immanitates quas in ipsum exasperavit praecipuum haereticorum odium et ipsi tam longaeva aetas lethales efficiebat, fame et frigore erat enim hyems, confectus mense Februario e vita decessit.—Sicuti declarabunt testes, etc.

14°. Qualiter veritas fuit et est quod horumce Dei Servorum coevi qui res ab iisdem gestas, eorumque mortem scriptis tradiderunt auctores fide dignissimi eorum invictam fortitudinem et constantiam extollunt, eosque depraedificant uti veros Christi martyres ex quo clare significatur eandem fuisse famam inter illos ad quos eorum martyrii notitia pervenit, uti nunc est praecipue in Ordine Capuccinorum.—Sicuti declarabunt testes, etc.

Hos pro nunc, salvo jure alios si opus fuerit addendi articulos, de quo, etc.

Die 27 Julii, 1919.

FR. RAPHAEL A VALLEFINARIA, *Post. Gen.*

# DECREE REGARDING THE PARTICIPATION OF CATHOLICS IN 'THE SOCIETY FOR PROCURING THE UNITY OF CHRISTIANITY'

(July 4, 1919)

## ACTA S. CONGREGATIONUM SUPREMA SACRA CONGREGATIO S. OFFICII DECRETUM

### DE PARTICIPATIONE CATHOLICORUM SOCIETATI 'AD PROCURANDAM CHRISTIANITATIS UNITATEM'

In generali consessu Supremae Sacrae Congregationis Sancti Officii, habito feria IV, 2 iulii 1919, proposito dubio : ' Utrum instructiones huius eiusdem Supremae Sacrae Congregationis, latae die 16 septembris 1864, circa participationem catholicorum cuidam societati Londini erectae ad *procurandam*, ut aiebant, *christianitatis unitatem*, applicandae sint, et a fidelibus servandae etiam quoad eorundem participationem conventibus quibuscumque, comitiisque publicis vel privatis ab acatholicis indictis, qui finem sibi praestituunt unionem procurandi omnium coetuum christianorum nomen sibi vindicantium ' ; Eñm ac Rñm Dñi Cardinales in rebus fidei et morum Inquisitores Generales respondendum mandarunt : ' *Affirmative*, et iterum evulgandas esse in ephemeride officiali Sanctae Sedis supra memoratas litteras, una cum aliis ad quosdam Puseistas anglicos datis, die 8 novembris 1865.'

SSñus D. N. D. Benedictus Div. Prov. Papa XV sequenti feria V, die 3 eiusdem mensis et anni, in solita audientia R. P. D. Adessori S. O. impertita, relatum sibi Eñmorum Patrum resolutionem approbare et confirmare dignatus est. Contrariis quibuscumque non obstantibus.

Datum Romae, ex aedibus S. Officii, die 4 iulii 1919.

ALOISIUS CASTELLANO, *Supremae S. C. S. Off. Notarius.*

## I

SUPREMAE S. ROMANAE ET UNIVERSALIS INQUISITIONIS  
EPISTOLA AD OMNES ANGLIAE EPISCOPOS

Apostolicae Sedi nuntiatum est, catholicos nonnullos et ecclesiasticos quoque viros Societati *ad procurandam*, uti aiunt, *Christianitatis unitatem* Londini anno 1857 erectae, nomen dedisse, et iam plures evulgatos esse ephemeridum articulos, qui catholicorum huic Societati plaudentium nomine inscribuntur, vel ab ecclesiasticis viris eamdem Societatem commendantibus exarati perhibentur. Et sane quaenam sit huius Societatis indoles vel quo ea speet, nedum ex articulis ephemeridis cui titulus *The union review*, sed ex ipso folio quo socii invitantur et adscribuntur, facile intelligitur. A protestantibus quippe efformata et directa eo excitata est spiritu, quem expresse proficitur, tres videlicet christianas communioniones romano-catholicam, graeco-schismaticam et anglicanam, quamvis invicem separatas ac divisas, aequo tamen iure catholicum nomen sibi vindicare. Aditus igitur in illam patet omnibus ubique locorum degentibus tum catholicis, tum graeco-schismaticis, tum anglicanis, ea tamen lege ut nemini liceat de variis doctrinae capitibus in quibus dissentiant quaestionem movere, et singulis fas sit propriae religiosae confessionis placita tranquillo animo sectari. Sociis vero omnibus preces ipsa recitandas, et sacerdotibus Sacrificia celebranda indicit iuxta suam intentionem : ut nempe tres memoratae christianae communioniones, utpote quae, prout supponitur, Ecclesiam catholicam omnes simul iam constituunt, ad unum corpus efformandum tandem aliquando coeant.

Suprema S. O. Congregatio, ad cuius examen hoc negotium de more delatum est, re mature perpensa, necessarium iudicavit sedulam ponendam esse operam, ut edoceantur fideles ne haereticorum ductu hanc cum iisdem haereticis et schismaticis societatem ineant. Non dubitant profecto Eññi Patres Cardinales una mecum praepositi Sacrae Inquisitioni, quin istius regionis Episcopi pro ea, qua eminent, caritate et doctrina omnem iam adhibeant diligentiam ad vitia demonstranda, quibus ista Societas scatet, et ad propulsanda quae secum affert pericula : nihilominus muneris suo deesse viderentur, si pastorem eorum dem Episcoporum zelum in re adeo gravi vehementius non inflammarent : eo enim periculosior est haec novitas, quo ad speciem pia et de christianae Societatis unitate admodum sollicita videtur.

Fundamentum cui ipsa innititur huiusmodi est quod divinam Ecclesiae constitutionem susque deque vertit. Tota enim in eo est, ut supponat veram Iesu Christi Ecclesiam constare partim ex romana Ecclesia per universum orbem diffusa et propagata, partim vero ex schismate photiano et ex anglicana haeresi, quibus aequae ac Ecclesiae romanae unus sit Dominus, *una fides* et unum baptisma. Ad removendas vero dissensiones, quibus hae tres christianae communioniones cum gravi scandalo et cum veritatis et caritatis dispendio divexantur; preces et sacrificia indicit, ut a Deo gratia unitatis impetretur. Nihil certe viri catholico potius esse debet, quam ut inter Christianos schismata et dissensiones a radice evellantur, et Christiani omnes sint *solliciti servare unitatem spiritus in*



*vinculo pacis* (*Ephes.*, IV, 3). Quapropter Ecclesia Catholica preces Deo O. M. fundit et Christifideles ad orandum excitat, ut ad veram fidem convertantur et in gratiam cum Sancta Romana Ecclesia, extra quam non est salus, eiuratis erroribus, restituantur quicumque omnes ab eadem Ecclesia recesserunt: imo ut omnes homines ad agnitionem veritatis, Deo bene iuvante, perveniant. At quod Christifideles et ecclesiastici viri, haereticorum ductu et, quod peius est, iuxta intentionem haeresi quam maxime pollutam et infectam, pro christiana unitate orent, tolerari nullo modo potest. Vera Iesu Christi Ecclesia quadruplici nota, quam in symbolo credendam asserimus, auctoritate divina constituitur et dignoscitur; et quaelibet ex hisce notis ita cum aliis cohaeret ut ab iis nequeat seiungi; hinc fit, ut quae vere est et dicitur catholica, unitatis simul, sanctitatis et Apostolicae successiones praerogativa debeat effulgere. Ecclesia igitur catholica una est unitate conspicua perfectaue orbis terrae et omnium gentium, ea profecto unitate, cuius principium, radix et origo indefectibilis est beati Petri Apostolorum Principis eiusque in Cathedra romana Successorum suprema auctoritas et potior principalitas. Nec alia est Ecclesia catholica nisi quae, super unum Petrum aedificata, in unum connexum corpus atque compactum unitate fidei et caritatis assurgit: quod beatus Cyprianus, in *Epist.* 45, sincere professus est, dum Cornelium Papam in hunc modum alloquebatur: *ut Te collegae nostri et communionem tuam idest Catholicae Ecclesiae unitatem pariter et caritatem probarent firmiter ac tenerent.* Et idipsum quoque Hormisdas Pontifex ab Episcopis acaecianum schisma eiurantibus assertum voluit in formula totius christianae antiquitatis suffragio comprobata, ubi *sequestrati a communione Ecclesiae catholicae* ii dicuntur, qui sunt *non consentientes in omnibus Sedi Apostolicae.* Et tantum abest quin communionem a Romana Sede separata iure suo catholicae nominari et haberi possint, ut potius ex hac ipsa separatione et discordia dignoscatur quanam societates et quinam christiani nec veram fidem teneant nec veram Christi doctrinam: quemadmodum iam inde a secundo Ecclesiae saeculo luculentissime demonstrabat S. Irenaeus, lib. III, *Contra haeres.*, c. III. Caveant igitur summo studio Christifideles ne hisce societatibus coniungantur, quibus salva fidei integritate nequeunt adhaerere; et audiant sanctum Augustinum docentem, nec veritatem nec pietatem esse posse ubi christiana unitas et Sancti Spiritus caritas deest.

Praeterea inde quoque a londinensi Societate fideles abhorreere sumopere debent, quod conspirantes in eam et *indifferentismo* favent et scandalum ingerunt. Societas illa, vel saltem eiusdem conditores et rectores, profitentur photianismum et anglicanismum duas esse eiusdem verae christianae religionis formas, in quibus aequae ac in Ecclesiae catholica Deo placere datum sit: et dissensionibus utique christianas huiusmodi communionem invicem urgeri, sed citra fidei violationem, propterea quia una eademque manet earundem fides. Haec tamen est summa pestilentissimae indifferentiae in negotio religionis, quae hac potissimum aetate in maximam serpit animarum perniciem. Quare non est cur demonstretur catholicos huic Societati adhaerentes spiritualis ruinae catholicis

iuxta atque acatholicis occasionem praebere, praesertim quum ex vana expectatione ut tres memoratae communiones integrae et in sua quaeque persuasione persistentes simul in unum cocant, Societas illa acatholicorum conversiones ad fidem aversetur et per ephemerides a se evulgatas impedire conetur.

Maxima igitur sollicitudine curandum est, ne catholici, vel specie pietatis vel mala sententia decepti, Societati, de qua hic habitus est sermo, aliisque similibus adscribantur vel quoquomodo foveant, et ne, fallaci novae christianae unitatis desiderio abrepti, ab ea desciscant unitate perfecta, quae mirabili munere gratiae Dei in Petri soliditate consistit.

Romae, hac die 16 septembris 1864.

C. CARD. PATRIZI.

## II

### AD QUOSDAM PUSEISTAS ANGLICOS

Honorabiles et dilectissimi Domini,

Quod vos, litteris ad me datis, *corde sincero et voce non ficta*, hoc tantum optare profiteamini, ut secundum Domini Nostri Iesu Christi verba unum ovile fiat et unus pastor, id spem affert huic Sacrae Congregationi incun- dissimam, vos tandem, divina eiusdem Iesu Christi gratia, ad veram unitatem esse perventuros. Cavendum tamen vobis est, ne ipsam quaerentes deflectatis a via. Id porro Sacra Congregatio vobis contigisse vehementer dolet existimantibus, ad veram Iesu Christi Ecclesiam pertinere, tamquam partes, christianos illos coetus, qui *sacerdotii et catholici nominis haereditatem* habere se iactant, licet sint ab Apostolica Petri sede divisi ac separati. Qua opinione nihil est, quod magis a genuina catholicae Ecclesiae notione abhorreat. Catholica enim Ecclesia, ut in rebus ad Episcopos Angliae litteris monetur, ea est quae, super unum Petrum aedificata, in unum connexum corpus atque compactum unitate fidei et caritatis assurgit.<sup>1</sup> Equidem hanc fidei et caritatis seu communionis unitatem, ex irreformabili Christi institutione, non modo praecipuam esse ac fundamentalem verae Ecclesiae proprietatem, sed certissimam quoque semperque visibilem notam, qua ipsa Ecclesia ab omnibus sectis tuto ac facile distinguatur, evidentissime vobis, si rem sedulo inspicere pacatoque animo considerare volueritis, demonstrabunt tum Sacrarum Scripturarum diserta testimonia insignesque metaphorae, parabolae et imagines, quibus delineatur ac veluti repraesentatur Ecclesia, tum praeclarissima sanctorum Patrum antiquissimarumque synodorum documenta, tum constans agendi ratio, quam Ecclesia, a suis usque promordiis sequi consuevit adversus cuiusque generis haereticos et schismaticos, tametsi ex iis complures sacerdotii et catholici nominis haereditatem sibi arrogarent. Quemadmodum igitur Ecclesia Christi propter summam, quam per omnes gentes et in omne tempus diffusa firmissime retinet, fidei communionisque unitatem catholica est et dicitur, ita propter unitatem eandem sancta et apostolica praedicatur; et quemadmodum absque

<sup>1</sup> S. Ambros., *De offic. ministr.*, lib. iii. c. iii, n. 19.



tali unitate desineret, et iure et facto, esse catholica, ita sanctitatis etiam et apostolicae successionis insignibus continuo privaretur.

At Christi Ecclesia suam unitatem nunquam amisit, nunquam ne brevissimo quidem temporis intervallo amittet; quippe quae perenniter, iuxta divina oracula, duratura sit. Quomodo vero Ecclesia perenniter duratura credatur, si in essentialem eius statum aetas aetati succedens, non secus atque fit in mundanarum rerum mutabilitate, novam induceret speciem et formam, et ipsa adeo Ecclesia ab illa fidei et communionis unitate desciscere aliquando posset, qua et a Iesu Christo fundata est et ab Apostolis deinde propagata? Ideo enim, ait S. Ambrosius, regnum Ecclesiae manebit in aeternum, quia individua fides, corpus est unum.<sup>1</sup> Quod si Ecclesia Christi indefectibilis prorsus est, sponte sequitur, eam infallibilem quoque dici et credi debere in evangelica doctrina tradenda; quam infallibilitatis praerogativam Christum Dominum Ecclesiae suae, cuius ipse caput, sponsus et lapis angularis, mirabili munere contulisse, inconcussum est catholicae fidei dogma. Et profecto quis sanus sibi persuadeat, errorem subesse posse publico ac solemnī Ecclesiae magisterio, quod Christus eo consilio instituit, ut iam non simus parvuli fluctuantes et circumferamur omni vento doctrinae in nequitia hominum, in astutia ad circumventionem erroris;<sup>2</sup> quod sui praesentia nunquam deserendum, atque a Spiritu Sancto de omni veritate edocendum pollicitus est; a quo voluit universas gentes ad obedientiam fidei vocari, et rerum credendarum agendarumque doctrinam ita accipere, ut qui Apostolis legitimisque eorum successoribus praedicantibus non credidisset, condemnaretur; cui munus auctoritatemque attribuit sanorum verborum formae praescribendae, in qua omnes docibiles Dei convenirent? Hinc Paulus Ecclesiam appellat columnam et firmamentum veritatis.<sup>3</sup> Sed quo pacto Ecclesia esset firmamentum veritatis, nisi tuto ab ea veritatis peteretur? Sanctissimi quoque Patres una voce loquuntur ac praedicant, in unitate Ecclesiae unitatem fidei ac doctrinae Christi sic defixam esse ut una disiungi ab alia non valeat; quo spectat aurea illa s. Cypriani sententia, Ecclesiam esse unitatis ac veritatis domicilium.<sup>4</sup> Neque catholica Ecclesia dubitavit unquam de hac praerogativa sibi promissa et per iugem Christi praesentiam Sanctique Spiritus afflatum communicata, quoties subortas fidei controversias dirimere, sacrarum Scripturarum sensum interpretari, erroresque commisso revelationis deposito adversos profligare aggressa est; suas enim dogmaticas definitiones edidit semper ac proposuit tamquam certam et immutabilem fidei regulam; quibus, ut fidei regulae, intimum quisque assensum sine ulla dubitatione, suspicione, haesitatione praestare deberet; qui vero iisdem definitionibus contumaciter obsisterent, hoc ipso circa fidem saluti consequendae necessariam naufragavisse nec amplius ad Christi ovile pertinere conserentur. Atque haec magis magisque absurditatem produnt illius commenti de catholica Ecclesia ex tribus communionibus coalescente, cuius commenti fautores infallibilitatem Ecclesiae necessario inficiari coguntur.

<sup>1</sup> In Luc. lib. vii, n. 91.

<sup>2</sup> Ephes. iv. 14.

<sup>3</sup> 1 Timoth. iii. 15.

<sup>4</sup> *Epist. VIII, ad Corn., ap. Constant, n. 1.*

Iam non minus certum atque exploratum est, Christum Iesum, ut fidei communionisque unitas in Ecclesia gigneretur ac perpetuo servaretur, utque capite constituto schismatis tolleretur occasio,<sup>1</sup> beatissimum Petrum prae ceteris Apostolis, tamquam illorum principem et eiusdem unitatis centrum et vinculum conspicuum, singulari providentia elegisse; super quem Ecclesiam suam aedificavit, et cui totius gregis pascendi, fratres confirmandi, totoque orbe ligandi ac solvendi summam curam auctoritatemque contulit in successores omni aevo prorogandam. Catholicum dogma hoc est, quod ore Christi acceptum, perenni Patrum praedicatione traditum ac defensum Ecclesia universa omni aetate sanctissime retinuit, saepiusque adversus novatorum errores Summorum Pontificum Conciliorumque decretis confirmavit. Quare catholica Ecclesia illa solum semper credita est, quae fide et communione cum Sede romanorum Pontificum Petri successorum cohaeret, quam propterea Sedem s. Cyprianus nuncupat catholicae Ecclesiae radicem et matricem;<sup>2</sup> quam unam Patres et Concilia per antonomasticam appellationem Apostolicae Sedis nomine designant; e qua sacerdotalis unitas exorta est<sup>3</sup> et in omnes venerandae communionis iura dimanant;<sup>4</sup> in qua Petrus iugiter vivit et praesidet et praestat quaerentibus fidei veritatem.<sup>5</sup> Certe s. Augustinus, ut schismatis convictos Donatistas ad radicem et vitem, unde discesserant, revocaret, argumento utitur ab antiquioribus Patribus frequentato: 'Venite, fratres, si vultis ut inseramini in vite. Dolor est, cum vos videmus praecisos ita iacere. Numerate sacerdotes vel ab ipsa Petri Sede, et in ordine illo patrum, quis cui successit, videte. Ipsa est petra, quam non vincunt superbae inferorum portae.'<sup>6</sup> Quo uno satis ostendit, in catholica Ecclesia eum non esse qui non inhaereat illi Petrae, in qua fundamentum positum est unitatis catholicae. Neque aliter sensit s. Hieronymus, cui profanus erat quisquis non Cathedrae Petri et Pontifici in ea sedenti communionem consociaretur: 'Nullum primum—sic ille ad Damasum—nisi Christum sequens, beatitudini tuae, idest cathedrae Petri communionem consocior; super illam petram aedificatam esse Ecclesiam scio. Quicumque extra hanc domum agnum comederit, profanus est. Si quis in Noë arca non fuerit, peribit regnante diluvio. Quicumque tecum non colligit, spargit, hoc est, qui Christi non est, antichristi est.'<sup>7</sup> Neque aliter s. Optatus Milevitanus, qui singularem illam cathedram celebrat, omnibus notam, Romae constitutam, in qua unitas ab omnibus ita servari debet, ut schismaticus et haereticus sit, qui contra illam singularem cathedram aliam colloet.<sup>8</sup> Et merito quidem; in Romanorum enim Pontificum

<sup>1</sup> S. Hieronym., *Lib. I adv. Iovin.*, n. 26.

<sup>2</sup> *Epist. IV ad Corn.*, ap. Constant, n. 3.

<sup>3</sup> S. Cypr., *Epist. XII ad Corn.*, ap. Constant, n. 14.

<sup>4</sup> *Epistola Concilii aquileiensis ad Gratianum imperatorem*, anni 381, inter *Epistolas S. Ambrosii*.

<sup>5</sup> S. Petrus Crysol., *Epis. ad Ewich.*, *Act. III concilii ephes.*, ap. Harduin, I, 1478.

<sup>6</sup> *Psalm. in part. Donati*.

<sup>7</sup> *Epist. 14*, al 57, *ad Damas.*, n. 2.

<sup>8</sup> *De schism. Donatist.*, lib. ii, n. 2.



ordinatione et successione, uti denunciât aperte omnibus s. Irenaeus, ea quae est ab Apostolis in Ecclesia traditio et veritatis praeconatio pervenit usque ad nos; et est plenissima haec ostensio, unam et eandem vivificatricem fidem esse quae in Ecclesia ab Apostolis usque nunc sit conservata et tradita in veritate.<sup>1</sup>

Itaque si proprium est ac perpetuum verae Christi Ecclesiae insigne, ut summa fidei caritatisque socialis unitate contineatur, efflorescat ac veluti civitas supra montem posita omnibus hominibus omni tempore patefiat; et si, alia ex parte, eiusdem unitatis originem, centrum ac vinculum Christus esse voluit Apostolicam Petri Sedem, consequens fit, coetus prorsus omnes ab externa visibilique communione et oboedientia Romani Pontificis separatos, esse non posse Ecclesiam Christi, neque ad Ecclesiam Christi quomodolibet pertinere, ad illam scilicet Ecclesiam, quae in symbolo post Trinitatis commendationem credenda proponitur Ecclesia sancta, Ecclesia una, Ecclesia vera, Ecclesia catholica;<sup>2</sup> quae catholica nominatur non solum a suis verum etiam ab omnibus inimicis,<sup>3</sup> sicque ipsum catholicae nomen sola obtinuit, ut cum omnes haeretici se catholicos dici velint, quaerenti tamen peregrino alicui, ubi ad catholicam conveniatur, nullus haeticorum vel basilicam suam vel domum audeat ostendere;<sup>4</sup> per quam Christus veluti per corpus sibi penitissime coniunctum beneficia redemptionis impertit, et a qua quisque fuerit separatus, quantumlibet laudabiliter se vivere existimet, hoc solo scelere quod a Christi unitate disiunctus est, non habebit vitam, sed ira Dei manet super eum;<sup>5</sup> eiusmodi proinde coetibus catholicum nomen tum iure minime competere, tum facto attribui nullatenus posse citra manifestam haeresim. Inde autem perspicietis, honorabiles ac dilectissimi Domini, quare sacra haec Congregatio tanta sollicitudine caverit, ne Christifideles societati a vobis recens institutae ad promovendam, ut dicitis, christianitatis unitatem cooptari paterentur aut quoquomodo faverent. Perspicietis etiam in irritum necessario cadere quaecumque conciliandae concordiae molitionem, nisi ad ea principia exigatur, quibus Ecclesia et ab initio est a Christo stabilita et deinceps omni consequenti aetate per Apostolos eorumque successores una eademque in universum orbem propagata; quaeque in celeberrima Hormisdæ formula, quam certum est a tota catholica Ecclesia comprobata esse, dilucide exponuntur. Perspicietis denique, oecumenicam illam, quam memoratis *intercommunionem* ante schisma Photianum, ideo viguisse quia orientales ecclesiae nondum a debito Apostolicae Cathedrae obsequio desciverant; neque ad optatissimam hanc intercommunionem restaurandam satis esse, simultates et odia in Romanam Ecclesiam deponere, sed omnino, ex praecepto et instituto Christi, oportere Romanae Ecclesiae fidem et communionem amplecti; quandoquidem, ut ait venerabilis Beda, splendidissimum

<sup>1</sup> *Lib. III contra haeres.*, cap. iii, n. 3, ex vet. interpr.

<sup>2</sup> S. Aug., *De Symb. ad catech.*, cap. vi.

<sup>3</sup> Id. *De vera Relig.*, cap. vii.

<sup>4</sup> Id. *Contr. epist. fundam.*, cap. iv, n. 5.

<sup>5</sup> Id., *Ep.* 141, al. 152, n. 5.

vestrae gentis ornamentum : ' Quicumque ab unitate fidei vel societate illius (beati Petri) quolibet modo semetipsos segregant, tales nec vinculis peccatorum absolvi nec ianuam possint regni caelestis ingredi.<sup>1</sup>

Atque utinam, honorabiles et dilectissimi Domini, quoniam *Ecclesia catholica una esse nec scindi nec dividi posse monstrata est*,<sup>2</sup> non amplius dubitetis, vos eiusdem Ecclesiae condere gremio, quae usque ad confessionem generis humani ab apostolica Sede per successiones episcoporum, frustra haereticis circumlatrantibus, culmen auctoritatis obtinuit.<sup>3</sup> Utinam quod in vobis per inditam benevolentiam erga hanc Ecclesiam Spiritus Sanctus coepit, ipse complere et perficere sine mora dignetur. Id vobis una cum hac sacra Congregatione toto ominatur animo et a Deo Misericordiarum et luminum Patre enixe adprecatur sanctissimus Dominus Noster Pius Papa IX, ut vos tandem omnes, ab exhaeredata praecisione fugientes, in haereditatem Christi, in veram catholicam Ecclesiam, ad quam certe spectarunt maiores vestri ante lugendam saeculi sextidecimi separationem, accipere feliciter mereamini radicem caritatis in vinculo pacis et in societate unitatis.<sup>4</sup> Valete.

Romae, hac die 8 novembris 1865.

C. CARD. PATRIZI.

## THE RITE TO BE OBSERVED IN THE PROFESSION OF NUNS ACCORDING TO THE NEW CODE

(July 10, 1919)

### DUBIUM

#### CIRCA RITUS IN PROFESSIONE MONIALIUM SERVANDOS

' An resolutiones S. C. EE. et RR., sub die 18 iulii 1902 ad I, et 15 ianuarii 1903 ad I et II, circa modum servandum in emittenda simpliciter et sollemni Monialium professione post editum Decretum *Perpensis* diei 2 maii 1902, vigeat post inductam a Codice Iuris Canonici professionem votorum temporaneorum, quae votis sollemnibus praemitti debeat ? '

S. Congregatio, omnibus mature perpensis, respondendum censuit :

*Negative*, et ad mentem. ' Mens est ut professioni sollemni reserventur ritus illi omnes et caeremoniae quae ad perpetuitatem status referuntur ; ad professionem vero temporaneam sufficit ut, ad normam canonis 577, § I, n. 6, a legitimo Superiore secundum Constitutiones per se vel per alium recipiatur. '

Datum ex Secretaria S. Congregationis de Religiosis, die 10 iulii 1919.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

L. ✠ S.

<sup>1</sup> *Hom. in natale ss. Petri et Pauli.*

<sup>2</sup> S. Cypr., *Ep. VIII ad Corn.*, apud Constant., n. 2.

<sup>3</sup> S. Aug., *De util. credendi*, c. xvii, n. 35.

<sup>4</sup> *Id. Ep. 61, al. 223, n. 2 ; Ep. 69, al. 238, n. 1.*



**DOUBT REGARDING THE POWER OF ATTACHING INDULGENCES TO ROSARIES, CROSSES, ETC., SOLVED BY THE SACRED PENITENTIARY**

(July 18, 1919)

ACTA TRIBUNALIUM

SACRA POENITENTIARIA APOSTOLICA

DUBIUM CIRCA POTESTATEM ADNECTENDI INDULGENTIAS ROSARIIS, CORONIS PRECATORIIS, ETC.

R. P. D. Eduardus Ioseph Hanna, Sancti Francisci in California Archiepiscopus, nuper proposuit resolvendum sequens dubium, quod ita sonat: 'An liceat Episcopis communicare presbyteris suae ditionis habitualiter potestatem benedicendi rosaria, etc., de qua in canone 349, § 1, n. 1, cum applicatione indulgentiarum, observatis ritibus ab Ecclesia praescriptis.'

Sacra Poenitentiaria Apostolica, re mature considerata, respondendum censuit: *Negative*.

Quam sententiam per infrascriptum Cardinalem Poenitentiarium Maiorem SS<sup>mo</sup> D. N. Benedicto Pp. XV in Audientia huius diei relatam, Sanctitas Sua adprobare dignata est eamque publici iuris fieri mandavit.

Datum Romae, die 18 iulii 1919.

O. CARD. GIORGI, *Poenit. Maior*.

F. BORGONGINI DUCA, *Secretarius*.

L. ✠ S.

**DECREE FOR THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, LOUISA DE MARILLAC, CO-FOUNDRESS OF THE SOCIETY OF THE SISTERS OF CHARITY**

PARISIEN.

DECRETUM BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVAE DEI LUDOVICAE DE MARILLAC, VIDUAE LE GRÂS, CONFUNDATRICIS SOCIETATIS PUELLARUM CARITATIS

SUPER DUBIO

*An, stante approbatione virtutem et trium miraculorum, tuto procedi possit ad solemnem praefatae venerabilis Servae Dei Beatificationem?*

Venerabilis Dei Famula Ludovica de Marillac, vidua Le Gras, ex quo virum nacta fuit sanctitate celeberrimum, cui nomen Vincentius a Paulo eumque sibi delegit in conscientiae moderatorem atque iudicem, unum inter et aliam tanta brevi exorta est seque indesinenter explicuit, animorum coniunctio, ut ei, quem magistrum atque ducem, non sine provido sapientique Dei consilio, constituerat sibi, perpetuo adhaeserit eiusque nutu duci regique voluerit venerabilis Ludovica per triginta et octo continenter annos, quod nempe eiusdem reliquum vitae fuit. Septuagenaria namque minor illa decessit, anno videlicet supra millesimum sexcentesimo sexagesimo, medio mense martio, inter vivos adhuc, modico licet temporis intervallo, agente et operante sancto Vincentio. Hic sane,

octogenario maior, suaque orbatus operum consorte et socia laborum, alacriter tamen uberrimam pergebat metiri caritatis segetem, donec dierum et meritorum plenus, ipse pariter hanc mortalem posuit vitam eamque cum caelesti patria commutavit, eodem recurrente anno, mense septembri, die vero mensis septima ac vigesima.

Interim, quod minime est praetereundum, peculiari immo sedulaque est notatione dignum, per illos sex circiter menses, quibus sanctus Vincentius praeclarae suae discipulae superstes exstiterat vitaeque spiritualis filiae, de eadem, ut pronum profecto erat maximeque proclive est intelligere, passim loquebatur, cum novae Societatis, cuius ambo fuerant institutores, praesertim Alumnis, quarum spirituali prospiciens bono, ipsis sub aspectum ponere satagebat defunctae Matris, prouti Sanctorum est, exercitas virtutes. Nihilominus, ut acri erat instructus sanctus vir probatissimoque iudicio, apposite eas cauteque admonendas sibi religioni duxit, quanta de Famulae Dei Ludovicae sanctitate foret hominum opinio, nullam tamen erga ipsam publici et ecclesiastici cultus exhiberi posse significationem. Uti par erat, Patris monitis Ecclesiaeque legibus plane obsequentes usque sese praebuerunt *a Caritate Puellae*; cumque benemeritissimam suam Parentem publice venerari se posse, uti Beatos decet, sibi in animum induxerunt, eum in finem, hanc supplices adiverunt Apostolicam Sedem, a qua, cunctis servatis, quae e vetustissimo ipsius Sedis Apostolicae more institutoque Romanorum Pontificum rite servanda erant, iam, quod proposuerant sibi, se esse assecutas iure meritoque laetantur.

Verumtamen quum pro indole probationum, quibus haec fulciebatur causa, duplicari necesse fuerit miraculorum numerum, *ut quod humano deerat, divino compensaretur iudicio*: quumque de tribus tantum miraculis constare non ita pridem fuerit pronuntiatum, hoc unum, quod supererat, obstaculum e medio auferre est dignatus Sanctissimus Dominus noster Benedictus Papa XV. Exemplum quippe Decessorum suorum sequutus, qui eadem usi sunt indulgentia in causis religiosorum Ordinum seu Familiarum conditorum, dispensationem a quarto miraculo fuit elargitus.

Nec novus parvi faciendus insignis honoris titulus, de quo in apostolico, quod hac eadem faustissima die promulgatur, Decreto conspicua non minus quam diserta mentio occurrit; quandoquidem quatuor *a Caritate Puellae*, e legiferae Matris disciplina profectae eiusque spiritu eruditae, tamquam verae Christi martyres agnoscuntur et celebrantur. Quod sane intrinseco accedens praeclaro causae merito, causae ipsius dignitatem atque praestantiam illustrat et commendat; reique illud etiam argumento est, quod in generalibus sacrae huius Congregationis comitiis, quae, die decima septima nuper elapsi mensis iunii, coram sanctissimo Domino nostro habita sunt, proposito per Reverendissimum Cardinalem Vincentium Vannutelli, causae Relatorem, Dubio: *An, stante approbatione virtutum et trium miraculorum, tuto procedi possit ad solemnem venerabilis Servae Dei Ludovicae de Marillac Beatificationem?* cuncti, qui aderant, quum Reverendissimi Cardinales tum



Patres Consultores, latis suffragiis, tuto procedi posse affirmaverint. Attamen de unanimi hac suffragatione apostolicum denunciare iudicium distulit Beatissimus Pater, enixius interea postulaturus a Domino, ut sibi in gravissimo decernendo negotio propitius adesset. Tandem hodiernam elegit diem Dominicam IV post Pentecosten; eaque idcirco adveniente, quum prius rei sacrae devotissime fuisset operatus, ad Vaticanas Aedes advocari voluit Reverendissimos Cardinales Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, et Vincentium Vannutelli, Episcopum Ostiensem et Praenestinum, Sacri Collegii Decanum causaeque Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infra-scripto Secretario, eisdemque adstantibus, rite decrevit: *Tuto procedi posse ad solemnem venerabilis Ancillae Dei Ludovicae de Marillac Beatificationem.*

Eiusmodi autem Decretum in vulgus edi, in acta sacrae rituum Congregationis referri litterasque apostolicas in forma Brevis de Beatificationis solemnibus, ubi primum licuerit, in Basilica Vaticana celebrandis expediri iussit, pridie nonas iulias anno MCMXIX.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius.*

L. ✠ S.

## REVIEWS AND NOTES

M. MINUCHI FELICIS OCTAVIUS. With Introduction and Notes by  
Rev. T. Fahy, M.A., B.D.

IN this instance the first duty of a reviewer is to congratulate Father Fahy on his choice of subject. It was a happy inspiration that led him to give us an up-to-date critical edition of the *Octavius*, probably the first work on Christian Apologetics written in the Latin language. It will always remain a work of absorbing interest owing to its striking treatment of its theme, and, although for many years it has fallen into ill-deserved oblivion in this country and in England, it still continues to attract the labours of Continental scholars. For some, like Norden, its appeal lies mainly in its style; while others, like Waltzing, find its chief charm in its subject-matter. Our neglect of it is strange, and is due principally to the narrow limits set by our educational curriculum. A certain few of the Ancient Classics have become consecrated to use in our schools and universities, and either want of enterprise, or a false respect for traditional usage prevents us from extending the frontiers, even when there is question of 'one of the masterpieces of Christian Apologetics,' as the *Octavius* has been styled.

The work is written in the form of a dialogue, though it is a dialogue that quickly develops into a formal debate. Father Fahy sets forth its aim in an admirable introduction, from which it will be seen that it is a document of capital importance for all who are interested in the early struggles of Christianity, and who wish to realize the atmosphere of suspicion and hostility which surrounded its adherents. With Minucius himself as arbiter, Caecilius pleads the cause of Paganism, while Octavius, a recent convert to Christianity, acts as champion of the new Faith. In Caecilius we have revealed the standpoint of a Pagan before the idealism of Christian teaching, his contempt for, and antipathy to Christian asceticism, the beauty and significance of which he is unable to comprehend. He is, moreover, made the mouthpiece of the many calumnies directed by contemporary Paganism against Christian practice and belief. When he is faced with the problem of the nature and attributes of God, he can do nothing but take refuge in a barren scepticism, though he labours to defend Roman Polytheism on the grounds of its supposed connexion with the greatness of the Roman Empire. As Father Fahy points out, the defence of Octavius is limited in scope. Its appeal is addressed to a Pagan nurtured in the old traditions of Roman religion. Its aim is not to set forth every phase of Christian teaching, but to prove that Christianity has a rational basis,



and is in harmony with the best Pagan philosophical thought. Octavius borrows some of his most formidable weapons from the armoury of the Pagans themselves.

Naturally, in a discussion of the *Octavius*, many problems arise, and of these one of the most important is to determine the date of its composition. Harnack inclines to place it in the third century. So careful a scholar as Zielinski suspends judgment on this question, though his bias is manifestly towards an earlier date. Father Fahy discusses the question with great clearness and thoroughness, and, having weighed the evidence fully, is in favour of assigning it to the second half of the second century, thus giving it priority to Tertullian's *Apologeticus*, to which in many points it bears a close resemblance. The style of the treatise will always prove an attraction for students of the *Octavius*. It is never dull, while in its vigorous invective against the old Pagan regime it vibrates with a passionate energy. Minucius is essentially a Ciceronian, though he may seem to some to have learnt Cicero's lesson too thoroughly, and to show more of the rhetorician than the orator. Lovers of a chaster and simpler style will find him too highly coloured and artificial, with his carefully balanced antitheses, his predilection for poetical words, for asyndeton and other devices of the rhetorical school. Though he has been classed as a representative of what is sometimes called 'African Latin,' it is probable that the characteristics he displays were common to most of the Roman provinces of the period. What will interest us particularly is that in Minucius many classical words are found as the bearers of a new content in the service of Christian dogma. Father Fahy, in his introduction, treats very fully the various features of his style, and discusses the chief models that helped to fashion the prose of the *Octavius*. I am especially glad to see that he devotes a section to the discussion of prose rhythm in Minucius, though I wish that his treatment of it had been even more extended. It is a question that in recent years has much engaged the attention of students of prose, whether in the classical or modern languages. Various systems for determining the rhythm of the 'clausula' in Latin have been advocated, leading, as one would expect, to divergent results. Cicero's theory of the rhythms best suited to Latin prose seems clear and definite enough, but when it comes to deciding how far practice squares with theory, present-day investigators are by no means in accord. One is, moreover, always faced with the difficulty of judging how far a writer is a conscious artist in the use of prose rhythm. Still, in spite of these drawbacks, it is a question of prime importance not only from the point of view of style, but as a help in textual criticism. Of this second use of it in particular, Father Fahy gives us many interesting illustrations.

From what I have said, it will be seen that this edition is well abreast of modern scholarship. The notes will be found full and illuminating. No difficulty of text or subject-matter is shirked, so that I can confidently recommend it as the best English edition that has yet appeared.

J. F. D'ALTON.

THE CEREMONIES OF THE ROMA RITE DESCRIBED. By Adrian Fortescue. Second and Revised Edition. London: Burns and Oates. 1919.

WHEN the first edition of Dr. Fortescue's *Ceremonies of the Roman Rite Described* appeared we reviewed it in the I. E. RECORD of October, 1918, and while believing that the work undertaken by Dr. Fortescue—to give to the clergy of England a Manual of Ceremonies possessing a claim to accuracy and completeness—had not been as well executed as it might, with a little more care, have been, we welcomed his book very heartily and warmly commended it to the clergy. We regretted that an incompleteness in parts—which was by no means inevitable—and, above all, a rather striking want of accuracy manifested itself to a careful reader of *The Ceremonies of the Roman Rite Described*, yet, realizing the magnitude of the task involved in dealing with such a vast amount of very detailed matter, we believed that a reasonable excuse could be offered for these defects, and we ventured to hope that they would be remedied in a second edition.

Our hopes have not been realized; and while wishing to make every allowance for such imperfections as we know from experience even the most minute care cannot fully eliminate, we have no toleration for defects which are the outcome of either indifference or gross carelessness.

The present edition of Dr. Fortescue's book introduces itself as 'Second and Revised Edition,' and the author tells us, in an addendum to his original preface, that he 'will always be grateful for corrections or suggestions.' We must say that we cannot find much evidence of either any very thorough revision (some corrections have, certainly, been made, but there is ample room for many more), or of the author's gratitude for corrections and suggestions, unless his gratitude takes the form of ignoring the help which he professes to desire.

In our notice of the first edition we offered some suggestions for securing greater fullness of treatment of certain points of practical importance. Not one of these suggestions has been adopted. With this we find no fault. Suggestions are suggestions, and it must always remain the prerogative of an author to adopt or reject them, as he sees fit. But, surely, the same toleration cannot be extended to Dr. Fortescue's failure to correct very patent inaccuracies, which, in our previous review, we took the trouble to point out in great detail and with a full statement of the grounds of our criticisms. Of a large number of such inaccuracies only two (one concerning the rules of bination, the other the use of the singular form of the *Misereatur*, etc., after the *Confiteor* in the administration of Holy Viaticum) have been corrected; and so careless has the revision been that while the correction regarding the *Misereatur* has been made on page 412 in connexion with Holy Viaticum, the uncorrected text is reproduced just two pages later (p. 414) in dealing with Extreme Unction. To take one more example of a glaring error which, though indicated in our previous review, appears once more with a renewed lease of life, can Dr. Fortescue offer any reason why, in face of



Canon 794 of *Codex Juris Canonici*, which reads thus: '§ 1. Patrinus unum tantum confirmandum aut duos praesentet, nisi aliud justa de causa ministro videatur. § 2. Unus quoque pro singulis confirmandis sit patrinus,' he writes (p. 388): 'The same person may be godparent for several candidates,' and (p. 388, note 4), 'Two godparents (man and woman) are allowed by the *Cod.*, c. 794'—actually quoting Canon 794 to confirm the very opposite of what it lays down!

We might indicate many inaccuracies, in addition to those already pointed out in our former notice, which still lurk within the covers of this second and 'revised' edition of *Ceremonies of the Roman Rite Described*, but we refrain from doing so. If a reviewer desires (as we emphatically do) to be more than merely destructive in his criticisms, he will indicate faults and inaccuracies only when he has some grounds for believing that such unwelcome work will be productive of good. In the present instance, the reviewer need not hope, apparently, to reap any constructive fruit from his efforts. Hence he had better employ his time more profitably than indicating errors which will not be corrected.

Two omissions of rather practical importance he would, however, like to draw attention to. (1) In treating of Blessings (p. 409) Dr. Fortescue might usefully have pointed out that Canon 1304 (3°) gives to parish priests for the churches and oratories in their parish, and to rectors for their churches, the faculty (hitherto reserved to the Ordinary) of blessing such church requirements (*sacra suppellex*) as need blessing before use. (2) In dealing with Extreme Unction in case of necessity, when one anointing of any of the senses, or better of the forehead, with the single shorter form suffices, Dr. Fortescue makes no mention of the important clause added in Canon 947, § 1, of the *Codex*: *Salva obligatione singulas unctiones supplendi, cessante periculo*.

In our review of the first edition of *Ceremonies of the Roman Rite Described* we recommended it to the clergy. We do so still, but with less confidence and always with the proviso that—in our judgment, at least—the book is more inaccurate than it ought to be had due care been taken with its revision, and that, consequently, it is not a safe guide to ceremonial in matters of detail.

J. B. O'CONNELL.

OUR REFUGE. By Rev. Augustine Sprigler. Herder.

THIS devotional little work has already run into a second edition—a proof that it has supplied a want. The subject-matter of the eleven chapters is the Blessed Eucharist. The author first treats of the foreshadowing of the Gift in the Old Testament, and the definite promise of It in the New; Its institution on the eve of Our Lord's death, and the perpetuation of the Gift through the Mass. Our duties to the Blessed Eucharist are subsequently dealt with in the chapters on Mass, Holy Communion, and Visits to the Tabernacle. On page 44, we are told that 'Sacrifice means the offering of an object by a priest to God, and the

consuming of the object to acknowledge thereby that God is the Supreme Being,' etc. The proper term is used on page 51, where the author says, 'the victim must be *immolated*.' The quotation on page 140 from the *Catholic Encyclopedia* would need revision to make it accurate.

D.

## BOOKS, Etc., RECEIVED

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*A Commentary on Canon Law*. By Rev. Charles Augustine, O.S.B., D.D.  
 Vol. III. London : Herder.  
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# THE PONTIFICAL INSTITUTE OF SACRED MUSIC<sup>1</sup>

## PRESIDENTIAL REPORT

IN 1887, by order of Leo XIII, I was called to Rome to write a series of articles in the *Civiltà Cattolica* on the restoration of Sacred Music, in conformity with the principles of the Church. In 1889, assured of the Pope's approval, I proposed for the first time to the Holy Father the establishment at Rome of an International School of Sacred Music, feeling sure, that if the diffusion of the ideas was the main thing, it was still necessary to form the teachers who could spread them and show their practical value.

Leo XIII agreed very kindly to the proposal, and would have been willing to found the School at once had there not been many difficulties in the way. They came mostly from the opposition then existing in Rome to any attempt at a reform of this kind. The recommendation of Leo XIII then was: 'Try before everything to spread knowledge of the ideas and to win over to the good cause the *maestri* and the more influential persons, and then we shall start the School; otherwise opposition will ruin all.'

He recommended me to bring forward the proposal again, whenever in my judgment the time was opportune. Little by little the light appeared: the movement spread gradually in Rome and in Italy. When Pius X ascended the Pontifical throne, the back-ground was prepared, and the *Motu proprio* on Sacred Music, of November 22, 1903, consecrated for ever the principles which for many years had been spreading, and forcibly imposed the practical restoration of Gregorian chant and sacred music in the whole world.

2. In October, 1909, I was appointed general President of the Italian Association of Santa Cecilia for the reform of sacred music. I then felt, that no longer as a private

<sup>1</sup> Re-printed from the *Month*, by kind permission of the Editor.

individual, but in virtue of my office, I could, or rather ought, to propose again what for twenty years had been fixed in my mind : the establishment in Rome of a Superior School of sacred music, especially destined for our own and the foreign clergy, not, however, excluding seculars, to give them the opportunity of getting solid instruction, first of all in Gregorian chant, as the main and fundamental subject, and then in sacred composition and in organ playing, and that they might become able and intelligent masters of church music.

I was further inspired in my undertaking by the already existing schools in foreign countries ; at Ratisbon in Bavaria, at Malines in Belgium, at Paris (St. Gervais' School) ; by the wishes of our Congresses of sacred music, which for many years had urged the foundation of such a School in Italy, and lastly by the *Motu proprio* itself of Pius X which said : ' Let everyone sustain and promote in every way possible the Superior Schools of Sacred Music, where they already exist, and concur in their establishment, where they are still wanting. It is most important that the Church should herself provide for the instruction of her maestri, organists, and singers, according to the true principles of sacred music.' I could therefore be sure of the approval of the Holy Father who was quite determined to have his famous *Motu proprio* observed in all its parts.

Pius X welcomed the proposal with great satisfaction but he was confronted with the grave difficulty of not having then at his disposal the financial means necessary for the foundation, being obliged at the time to supply the funds for the establishment of the magnificent work of regional seminaries in Italy, and meaning to erect in Rome a new Roman Seminary, as in fact he did shortly afterwards. I then begged the Holy Father to permit the School to be opened, trusting in Providence ; I proposed that its foundation should not be in any way a charge on the Holy See, but a free gift of pious Catholics, to whom I would address myself, requesting contributions to constitute the fund for maintaining the Institute. Pius X heartily approved the proposal and gave the wished for consent.

3. The work was initiated on January 4, 1911, in two little rooms of the College of the Figli dell' Immacolata, in the via del Mascherone, near the Farnese Palace. But



though its cradle was poor and narrow, the time was opportune and conditions were practical. The teaching body was ready and composed of good masters, the courses of study had been carefully and competently arranged; neither were the pupils wanting, for on opening day there were eighteen, a number which very soon increased to 30. They included representatives of several nations, but the Italians predominated, and nearly all were priests sent by their bishops.

The success of the first year was such as to give great satisfaction to the Holy Father, who, on November 4, 1911, at the beginning of the second school year, issued the Brief *Expleverunt*, in praise and full approval of the Institute. In this Brief he publicly declared his intention to give full opportunity for development to the Institution, if the Catholics would come to his assistance by providing him with the necessary funds. 'We trust that the help of good Catholics will never fail us, thus enabling us in our straitened circumstances firmly to establish and to strengthen, as we desire, the praiseworthy School of Sacred Music in Rome.'

Meantime the School went on progressing and yielding every year the most consoling fruits. Pius X was so satisfied with it, that on July 10, 1914, by a Rescript of the Secretary of State he conferred upon it the title of Pontifical School, and granted it power to deliver, in the name of the Holy See, public and authoritative diplomas of Master and Doctor in the several subjects taught, while expressing his wish that 'after the successful proofs, given in the brief period of its existence, *quasi lux splendens procedat et crescat usque ad perfectam diem*'; that is to say, that as a splendid light it may proceed and grow to perfect day.

The contributions of pious Catholics who gave to the School its first financial support, did not fail. Pius X accepted the aid with a grateful heart, and in October, 1912, wrote in his own hand the precious words which grant to benefactors the Apostolic Blessing. 'To our beloved sons, the Benefactors of the Superior School of Sacred Music in Rome, with the wish that Our Lord may largely reward them with the graces reserved to those who contribute to the splendour of sacred ceremonies and to the praise of His Holy Name, we impart with our whole heart the Apostolic Blessing.'

4. A similar, indeed I may say, a greater benevolence towards the School has been shown by His Holiness Pope Benedict XV. In the first audience he granted to its Superiors on September 23, 1914, he declared that he considered the School 'as a precious inheritance left to him by his holy predecessor,' and that 'he would sustain and promote it the best possible way, trusting in Providence, who, without doubt, would supply the means necessary for its work.'

On the evening of November 22, 1914, a fearful gas explosion ruined completely the portion of the College assigned to the School, with great loss of furniture and of musical instruments. A practice organ was entirely destroyed. Benedict XV with sovereign generosity not only repaired the damage suffered, ordering a new organ to be installed at his expense, but assigned to the Institute a magnificent new apartment, extending all round the large historical hall of Gregory XIII in the ancient palace of the Apollinare, saying that the School 'ought not to live any more in the narrow spaces of a catacomb,' and that 'in order to work well, space, air and light were necessary.' Thanks to the munificence of the Holy Father and of other good benefactors, we have been able to furnish the new suite of rooms with the conveniences and decorum becoming to a Pontifical Institute, though many things are still wanting.

In the solemn audience of May 7, 1915, granted to the entire Institute, the Holy Father 'encouraged them all to do everything in their power in order that the School might constantly continue along the course on which they had entered, might develop and improve ever more and more, and be always worthy of the noble traditions of Roman Pontifical Institutes.' And he added: 'Until now our encouragement has been limited to giving ampler premises and a more worthy setting for the School; but we hope, under more propitious circumstances, to have the power to give it a greater impulse and a broader development.'

In a letter of September 9, 1915, H. E. Cardinal Gasparri, Secretary of State, praising greatly the School, wrote to me on behalf of His Holiness: 'So far as the increasing distress of the Holy See will allow, the Sovereign Pontiff will be glad to help also for next year in the development and progressive splendour of this fine School,



so that it may fully attain the noble end at which its regretted Founder aimed.'

Meanwhile, in compliance with the wish expressed by Pius X in his Brief of approval, the Auxiliary Committee to the Pontifical School of Sacred Music had been constituted in New York, in the United States, under the auspices of the celebrated authoress and musician, Mrs. Cabot Ward, with the double object of collecting contributions for the endowment of the School, and of maintaining in the United States of America an efficacious propaganda for the restoration of sacred music. And on January 31, 1916, on the occasion of the presentation of one of these offerings, the Holy Father, through H. E. the Cardinal Secretary of State, expressed to Mrs. Ward his complete satisfaction with the institution of the Committee; wishing it every possible development and imparting to all its members the Apostolic Benediction.

In another letter, written on July 25, 1916, by order of the Holy Father, Mgr. Tedeschini, Assistant Secretary of State, informed me that: 'His Holiness, who amongst the generous givers, has specially noted the Auxiliary Committee of New York, has been pleased to see in these donations a token of the zealous love that the donors have for the decorum and sacred majesty of the liturgical cult, no less than the homage of their filial devotion towards the Pope, whose wishes they understand and further.'

Leaving aside other similar expressions used by the Holy Father, always full of august paternal affection, the allocution pronounced by His Holiness in the second audience granted to the School, on May 5, 1918, is most significant. He deigned to repeat again, before all, that he regarded the Pontifical School as a *precious inheritance* bequeathed to him by his venerable predecessor, and he added: 'We feel that we must hold in great account the principal instrument which Pius X of blessed memory left in our hands to pursue the work of reform of sacred music, so wisely undertaken by him.' He then went on, observing that the School must be in Rome an artistic centre for all that concerns sacred music, and from it must start the propaganda, not only for Rome, but for the whole world. And congratulating the numerous pupils and auditors who were in his presence, he said of them: 'They will thus be able one day, with greater and more practical knowledge, to diffuse what they have learned

here, spreading and promoting in their dioceses the admirable restoration of sacred music, for which object Pius X of blessed memory published his masterly *Motu proprio*. The Choir of the School, composed of more than a hundred and thirty voices, had executed the magnificent mottetto of Palestrina: *Dextera Domini fecit virtutem, dextera Domini exaltavit me; non moriar, sed vivam et narrabo opera Domini*; and the Holy Father commented upon this work in these words, applying them to their School. He added: 'It is easy to understand that with the sincerity of feeling which makes us attribute to the School the words *non moriar*, will correspond on our side the determination to continue to apply ourselves to the further development of this praiseworthy Institute. We affirm therefore with the greatest pleasure that we shall never fail in the purpose which has always inspired us, and shall adopt all the means we shall deem best adapted to manifest most fully our benevolence towards this flourishing school of sacred music.' On this occasion he again remembered the benefactors of the School: 'We are glad to express publicly the feelings of our grateful heart towards the generous benefactors of the Institute, and especially towards the Auxiliary Committee, instituted in the United States of America by eminent gentlemen and pious ladies with the object of completing the foundation of the Pontifical School.'

5. For all that concerns the artistic formation of the pupils, the School reached its full development in its first year. It would be impossible to-day to add anything to the courses of study and to the programme of teaching, without overburdening the students and compromising by too great an extension the real value of the courses. These courses of study have been confirmed and perfected by the daily experience of nine years. The fundamental courses of study are three:—

(1) The Gregorian course, which includes the practical execution of Gregorian melodies, the scientific theory of modes and rhythm, the palaeography, the aesthetics and the history of Gregorian chant, the history of liturgy and liturgical legislation with ample comment on the *Motu proprio* of Pius X.

(2) The course of sacred composition includes the study of harmony, counterpoint, fugue, accompaniment of Gregorian chant and composition in classic and modern



style, for voices unaccompanied or with organ or orchestra accompaniment. For this latter purpose there has been added a special course of instrumentation and free composition in the style of Oratorio and religious music for concerts.

(3) The course for organists as in two sections: one minor course for the formation of church organists; the other, a full course, for those who aspire to become masters in the Art.

There are also other complementary lessons, such as general history of music and musical forms, critical reading of the more famous modern sacred compositions, a class of *solfeggio* and musical diction, a class of methods for the teaching of chant, especially to children.

Later on, in 1915, two summer courses of harmony and organ were instituted for the convenience of students who remained in Rome during the summer vacations. Besides these, during the war, were opened evening courses of Gregorian chant, harmony and organ, for the priest-soldiers resident in Rome. These were always frequented by a considerable number of pupils.

As Pius X wished the School, since its origin, to extend as much as possible its activity to the pupils of several colleges and ecclesiastical institutes in Rome, permission was given to them to assist at the lessons of liturgical history, and for their benefit two public free courses were started, the one of aesthetic practice of Gregorian melodies, the other of aesthetic practice of ancient and modern vocal polyphony, so that they could all uniformly learn the right interpretation of Gregorian melodies and of classic polyphony, especially that of the ancient Roman school. These special courses were always frequented by a great number of college students and seminarists of all nations. They constitute the choral section, that is to say, the great choir of the Pontifical School. They have had the opportunity every year to appear in public, in many important performances, sacred and academic, in the Hall of the School, in public churches, as well as in the Vatican, in the presence of Pius X and of our present Pontiff, always receiving great praise from the public and from the masters of the art.

6. If, as we have said, the School, in the substantial part of its teaching, in its standards proposed from the beginning and in the character formation of its pupils,

has nothing new to add, but only to perfect what it has already worked at, it is nevertheless capable of great external development, in order that it may extend its activity to a larger horizon and become really that artistic centre for sacred music, desired by Pius X and by the present Pontiff, for the good not only of Rome and Italy, but of the entire Catholic and musical world.

We have everything that is strictly necessary for the exigences of instruction and study: musical instruments, library and archives. But the rooms which surround our splendid academic hall are inadequate, and cannot be sufficient any longer for the growing necessities of the Institute. No expansion of this kind has been possible during the war, because the whole remaining part of the palace was occupied by the soldiers. But we hope to obtain some other rooms, when things shall have settled down.

But that is not enough; it is necessary to provide for the further development of the School in the following matters, if we are fully to attain the end proposed from the very first year of its existence, but which it has not been so far possible to reach, owing to the want of means and to the calamity of the war.

(a) The number of ordinary pupils, inscribed every year, under the present conditions, cannot be more than thirty, or at most forty. To admit a larger number, not only larger premises would be necessary, but we ought to increase the teaching body and to augment the number of musical instruments put at the disposal of the pupils, especially in the class of organ pupils, which class is very well attended.

(b) It would be necessary for the School to bestow a certain number of Scholarships, to help the pupils, especially priests, who give promise of success, but have not sufficient means to continue their studies in Rome.

(c) It would be necessary to annex to the School an ecclesiastical boarding-house, where the priest-pupils could live conveniently and have every opportunity for private study, receiving together with the instruction of the School, a special preparation for the development of the liturgical atmosphere.

(d) The School would like to start a College for very young boys who, instructed and disciplined according to our methods, might form a part of our choral section, for the



execution of classic polyphony for mixed voices. The several attempts made in these latter years to incorporate in the School work boy singers, collected in the streets or educated by others, have given bad results, and we have lost time and money over them.

(e) We should greatly wish that in a public church of Rome, every Sunday a special choral section, composed of the children of the projected College, of the pupils and other willing youths might celebrate a Solemn High Mass or musical service with execution of all the proper Gregorian melodies, with a varied *repertoire* of classic vocal polyphony. Our pupils would thus be kept in continuous practical exercise and could exhibit to the public liturgical performances truly worthy of the House of God.

(f) To the courses already instituted for adults, we should like to add a special class of pianoforte and singing for children of good families. The many requests we have already received make us sure this School would be quite a success.

(g) Pius X wished that the School might promote the restoration of sacred music, not only by means of teaching and of good performance, but also through the Press. Complying with this desire, since the beginning we have had at our disposal, as the School Bulletin, the periodical *La Rassegna Gregoriana*: but when the war broke out the editor was obliged to suspend its publication. It would be necessary now for the School to found a review of its own, independent of any particular editor, and to circulate it largely.

We had also begun a periodical publication of good sacred compositions for small choirs, with the title of *Sursum Corda*; but after three numbers, the price of printing became impossible owing to war conditions, so that we were compelled to discontinue it.

Lastly, we ardently wish to undertake another publication of great importance and high artistic significance. We would bring to light a series of classic compositions of our great *maestri* of the sixteenth and seventeenth centuries which lie still unknown in our rich musical archives of Rome and of Italy. But such an enterprise, though it would bring great honour to the School and much glory to the art of sacred music, cannot be started without special funds to meet the expenses of printing and of collaboration.

7. This external development, which, as we have said, has been for a long time our most ardent desire, could be easily effected, had we the necessary means. We have done everything that has been in our power to provide them in these nine years, that is, ever since the School was started. But besides the heavy difficulties of the initial steps, we were stopped by the breaking out of the war, just when the School, declared Pontifical, was gaining ever greater sympathy. In consequence, up to date we have been able to collect only a part of what is absolutely needed, not, indeed, to give to the School its full development, but to maintain it in its actual restricted conditions.

But we trust always in Divine Providence to provide means to promote the desire expressed by Pius X and with such fatherly benevolence repeated by Benedict XV. The Pontifical School is the property of the Holy See; the funds of the institution are deposited in the Vatican and are administered by the Holy See. From this point of view we desire that the School may not be a *charge* on the Holy See, but a gift from the Catholics of the world, in their desire to promote the perfect realization of an institution entirely directed to the glory of God, to the greater splendour of liturgical worship, to the true progress of the art of sacred music and to the honour of the Roman Pontificate.

ANGELO DE SANTI, S.J.,  
*President of the Pontifical Institute.*



# THE GENIUS OF LEONARDO DA VINCI

BY REV. P. A. BEECHER, M.A., D.D.

IN the July number of the I. E. RECORD I said I would, at a future date, treat of Leonardo as a scientist and many-sided genius; and I must here make good that promise. Before doing so, however, I should like to make a few remarks on the golden period of Italian painting. Unlike present-day artists, who excel in one particular department—and all honour to them for it—the giants of the Renaissance had caught the very spirit of art, with the result that many of them would be famous had they never touched a brush. ‘Every schoolboy’ knows that Michael Angelo was not only a painter but also an architect and sculptor; but it is not, perhaps, so universally known that the same was true of Raphael and others. Raphael’s suggested plan<sup>1</sup> for St. Peter’s is still extant, and shows genius, especially in the noble series of side-chapels; and, in fact, it was while superintending excavations that he caught the fever from which he died. And even as painters, their individuality was so marked that a comparison is almost impossible. Michael Angelo, with his sublimity and strength, and, above all, his extraordinary use of the unveiled human form to express his ideas, even the joys and sorrows of the Last Judgment; Raphael, with the serene calm, and divine elevation of his Madonna art; Da Vinci, with that marvellous subtlety of expression which, while the ‘Last Supper’ is his greatest creation, reaches its climax in the seeming-changing, iridescent smile of the Mona Lisa; Titian, greatest of realistic colorists—because Giorgione<sup>2</sup> died young; Correggio, the Shelley of painting, skyey colorist, lover of shimmering lights

<sup>1</sup> This was set aside by Michael Angelo, who returned to Bramante’s plan of a Greek cross. The latter, however, was ruined by Carlo Maderna, who changed it to a Latin cross and erected the poor façade which largely cuts off the wonderful dome.

<sup>2</sup> They were fellow-pupils of Bellini, during which time Titian disp’ayed talent and Giorgione genius. Tintoretto was a pupil of Titian’s, and became, according to some, the equal of his master.

and diaphonous shadows, he who must have dipped his canvases in the glow of an Italian sunset; nor must we forget 'The Tailor's Andrew' (Andrea del Sarto), so unerring as draughtsman that he was named the Faultless Painter, 'the sorry little scrub who'—said Angelo one day to Raphael—'were he set to plan as you are, pricked on by your popes and kings, would bring the sweat into that brow of yours'—what a phalanx of giants, and what a difference of individuality! Technical blemishes, no doubt, there are, in one or two of them, when judged by modern, rigid, rule of thumb; any artist who has got the ribbon of this or that academy stuck in his coat can descant on them, just as an Intermediate boy who has studied his manual of rhetoric can point out the mixed metaphor in Hamlet's famous soliloquy. But they, like Shakespeare, can stand it all, their blemishes, mere sun-spots, being swallowed up in the general blaze of excellence. It was truly an age of wonders; but, for versatility of genius and unique, supposedly impossible, combination of art and science, there stands, peerless and alone, the rare figure of Leonardo da Vinci.

In the following pages I will try to put before the reader the many gifts of this extraordinary man, trusting to the persuasiveness of facts that will speak for themselves. And it might be well at the outset to remove the false impression that many may have got from reading Walter Pater's essay on Da Vinci.<sup>1</sup> Pater did not, and could not, know much about him as a scientist, for he wrote in 1873, whereas it was only ten years later that Leonardo became known as a universal genius, when Richter gave to the world two quarto volumes, containing more than 1,500 extracts from his manuscripts, which clearly proved that all Vasari said about him was more than justified. Da Vinci, partly to let his mind unbend, and partly through his passion for all that was weird and grotesque, used to associate with all kinds of charlatans, alchemists, and astrologers, with the result that even his serious work came under suspicion, especially as he kept it hidden, and it was regarded by some as a conglomeration of whims and strange fancies. Pater, in treating of him as a scientist, largely adheres to that view, and says of him: 'He trifles with his genius, and crowds all his chief work into a few

<sup>1</sup> *The Renaissance.*



tormented years of later life.'<sup>1</sup> As to the latter portion of that sentence, not only the contradictory, but the very contrary, is true. In later life, with the single exception of engineering work, he did very little, as he was devoured by a passion for speculative knowledge for its own sake—*rerum cognoscere causas*. In fact we might picture him as a lone, weary man, with wistful longing in his eye, beating with bare hands, ambitiously and in vain, on the door of the temple where nature had locked her laws. As to the former portion, it would be nearer the truth to say that he was the victim of the very versatility of his genius. Better for himself, and better for the world, that he had only a third, or fifth, of his extraordinary gifts, for then science, in many of its branches, would have been advanced by a hundred or more years. But so varied were his gifts that he never, at a time, spent more than a few weeks at any subject. But even so, with such desultory and spasmodic work, he was a pioneer in almost every discovery, and every invention, that has since astonished the world.

But, it may be asked, how comes it that his writings, which contain all those wonders, remained unknown? For many reasons: there was no patent law at the time, nor any journals in which to announce inventions and discoveries; and Leonardo, fearing that others would claim credit for them, as also for his love of the mysterious in possessing knowledge unknown to others, hid them away in obscure manuscripts, written, with his left hand, from right to left, in strange, cramped, inverted characters, that could be read only by means of a mirror. His reputation as an artist was established and only his *Treatise on Painting* was consulted. But when at last, in 1883, Richter put before an astonished world the aforesaid extracts, they had only a platonic interest, as the knowledge therein contained had in the meantime come to light. It is said that truth sometimes makes a laggard of fiction, and here is a case in point; for what novelist, in wildest fancy, would ever dream of endowing a hero with a third of the gifts that Leonardo possessed? Juvenal ridicules the pretensions of a Greek adventurer in the following lines:—

*Grammaticus, rhetor, geometres, pictor, aliptes,  
Augur, schoenobates, medicus, magus : omnia novit.*<sup>2</sup>

<sup>1</sup> *The Renaissance*, p. 102.

<sup>2</sup> Juvenal, III. 76, 77.

But what are these to the array of qualities that Leonardo possessed? I will try to arrange them as best I can in order. Under some headings I shall give only a few facts, but they will be of such a kind as to imply that he was well versed in the subject in question.

Painter: We have already said enough.

Sculptor: He was second only to Michael Angelo, and had not the Gascon archers of Louis XII destroyed his famous equestrian statue, he might have led Michael Angelo a tight race for the laurel crown of the Christian era. In preparation for this statue he made a study of the anatomy of the horse, and wrote a treatise thereon which was a standard on the subject.

Architect: He collaborated with Bramante (the architect of St. Peter's), and, in 1487, we find him at work on the Milan Cathedral. These two facts are full of significance.

Poet and Orator: Only half a dozen of his rhymed lines have come down to us, but in his *History of Painting* he is always talking of poetry in connexion with painting, so it is likely he had the poetic gift. Also in this same treatise he gives, in prose however, descriptions of nature, especially in savage mood, that contain the very essence of poetry, and are worthy of Virgil. Also a description of battles, which probably was written in connexion with his 'Battle of the Standard.' As an orator he had a great gift, we are told, and fascinated all who came within his influence.

Musician: We do not say that he was one of the great composers, but it was in that capacity (also as inventor of machines of war) that he first came to Milan. Vasari says he was the greatest improvisatore of his age. He sang with a voice of great charm, composed his own words, set them to music, and played on instruments made with his own hands, notably on a silver one in shape like a horse's head—thus made to give greater sweetness of tone. He was also employed by Ludivico Sforza as the master of pageants, and always contrived to have something striking and original.

Mathematician: He helped the great mathematician, Luca Pacioli, in his treatise *De divina proportionē*. Specimens of his work may be seen, in desultory fashion, in the drawings at the Windsor Library. It may be of interest to say in passing that he is credited with the authorship of the symbols + and -. He was the founder of mathematical physics (see under Physicist).



**Astronomer :** He anticipated Copernicus in propounding the theory of the earth's movement. He gives his reasons, on which we need not dwell ; it is sufficient for our purpose to note his categorical statement that the sun does not move : *Il sole non si move*.<sup>1</sup> He had a presentiment of the telescope when he wrote : 'It would be possible to invent a glass that would bring the moon nearer.' He explained the obscure light on the unilluminated part of the moon. He made a deep study of tides, and even wrote to correspondents to report to him the state of the tides in the Caspian and Black Seas. Also he knew of the gathering of equatorial above the polar waters. And, we might interject here, he worked out a theory of the motion of the waves. Other facts could be adduced, but these will suffice.

**Geologist :** In geology his reasoned speculations were as daring as they have since been proved accurate. With keen, scientific intuition, he concluded that the earth was not always as we see it ; that, in fact, it has had a history or 'a past.' And so he created the science of Stratigraphy (the order and relative position of strata), and taught the lesson to be learned from fossils. He anticipated Cuvier by some three hundred years in saying that the bed of the ocean is ever changing. Briefly he reasoned thus : Whence came the sea-shells found on tops of mountains ? Not from the Deluge (as was popularly supposed) ; nor could the mollusca have climbed thither. Therefore, the sea must once have covered those mountains. But why the change ? It is due to the erosion of the sea, as a result of which the centre of gravity of the earth is ever changing, and as the earth swings round to keep its centre of gravity at its own centre, the sea is ever receding from its old floor and making itself a new one. He pointed out that the tributaries of the river Po at one time flowed into the Gulf, and he calculated that it took 200,000 years to effect the change—a daring statement because of the then traditional view regarding the age of the world. While at Cairo he noticed the formation of the Nile valley, and said the day would come when the Nile would make tributaries of all rivers flowing into the Mediterranean, and would itself discharge its waters at Gibraltar. He also explained the origin of mountain lakes, instancing those of Garda and Maggiore, as due to the

<sup>1</sup> Müntz : *Leonardo da Vinci*.

breaking down of mountains. More might be said, but this is, perhaps, enough.

**Biologist :** A few examples will suffice to prove that he took no mere passing interest in the subject. He said that motion is the cause of all life : *Il moto è causa d'ogni vita*.<sup>1</sup> He was the first to propose the division of animals into two great classes, those with skeletons inside, and those with skeletons outside, such as cockles, oysters, etc., a division which practically corresponds with the vertebrates and invertebrates of Lamarck. He distinguished between the movements which are dependent on the brain, and those which are due to the immediate effect of the spinal marrow on the functions of the nervous system. The examples of the latter which he gives are epileptics, and the tails of lizards when cut off. In speaking of growth, he makes a statement which I quote for what it is worth (I don't know if it is true), that children at the age of three are, as a rule, half the height they will ultimately attain.

**Anatomist :** In anatomy he did astonishing work. We have seen it stated<sup>2</sup> that he studied anatomy with the famous Marco della Torre, Professor at Padua and Pavia. But this is understating the case. He was an anatomist when the latter was only seven years of age ; he first got him interested in the work, and was his master. He admitted to one of the Cardinals at Rome that he dissected several corpses of men, women, and children ; and we are told that ' he shared his home with corpses flayed, stripped of flesh and terrible to look at.'<sup>3</sup> He then made sketches for the use of students who might not have courage or time to go directly to the real corpse. These sketches may still be seen in the Windsor Library. Duval (in work mentioned in note) devotes much attention and admiration to him, and tells us that Leonardo intended writing a treatise on anatomy, beginning with the skeleton, then dressing it with muscles, nerves, blood-vessels and cartilages, and ending with the skin. He even collates his notes and divides them into three divisions. Da Vinci divined the circulation of the blood, but missed the explanation of its mechanism. Here are his words : ' The heart is a muscle of great strength, much stronger than the other

<sup>1</sup> Richter, vol. ii. p. 286.

<sup>2</sup> v.g., Woltmann and Woermann : *Hist. of Painting*, vol. ii. p. 461.

<sup>3</sup> Duval : *L'Anatomie des Maîtres*, p. 13.



muscles. The blood which returns when the heart opens again is not the same as that which closes its valves.' It may be objected that the ancients knew of the circulation. Yes, as air in a chamber. The important statement in the foregoing is that *the heart is a muscle*. Some seventy years after this was written, Realdo Columbus<sup>1</sup> formally denied the muscularity of the heart, although his is one of the big names in the history of anatomy.<sup>2</sup>

**Botanist :** To put it briefly, he knew every important discovery since made in botany with the single exception of the sex of plants. For instance : he was the first to lay down the laws that govern the disposal and arrangement of leaves about their stalks. An Englishman named Brown got credit for this in 1658—that was about one hundred and seventy years after Da Vinci. He explained the growth of bark ; also he knew that rings correspond with age in trees, noting that the rings varied with humidity or dryness of season ; likewise that they showed the orientation of the tree, for ' they are wider and thicker on the north side than on the south, so that the cone of the trunk is nearer to the bark on the south than on the north.' And so on.

**Engineer :** Here we come to the subject he loved most. He constructed the famous Martesana Canal, and linked Milan with the rivers and great lakes, and irrigated the entire Lombard plain, so that the fertility for which it is famous to-day is due to him. For seven years (1480–1487) he was employed on engineering works by the Sultan of Cairo.<sup>3</sup> In passing we might remark that during his stay in the Orient he is said to have mastered all its secret lore, and ever afterwards wore the peculiar turban that is so familiar to us in the portrait painted by himself. The great weight of authority says he was the first inventor of canal locks. Certain it is the invention was purely original on his part, and equally certain that our present system of locks is all his. Even before he gave his invention to the world, he used to surprise his friends, in the mysterious manner so peculiar to him, by saying : ' I can make boats

<sup>1</sup> *De Re Anatomica*, 1559.

<sup>2</sup> See *Encyc. Britt.*, under ' Harvey.'

<sup>3</sup> This Sultan seemed to welcome the genius of Italy, for Michael Angelo once decided to give his services to him, having left Rome in a fit of temper. But Pope Julius II sent messengers after him with orders that they were to bring him back by force if necessary.

sail over hills.' It is rather interesting, as showing the versatility of the man, that, when the Duchess Isabella Gonzaga wrote to him begging for a painting, 'at least for a small Madonna, devout and sweet,' he kept putting her off, because he was busy at the time preventing a landslide on a neighbouring hill, on canalizing and controlling the waters of the Arno, and on working out his investigations about tides. During his final years in France he had on hands a gigantic scheme for rendering the Loire navigable, and for linking it by a canal with the Saône.

As we have touched on his travels, we might here remark that he was also an explorer, and invariably made maps of all places he passed through.

Physicist: Alexander Von Humboldt says: 'He was the greatest physicist of the fifteenth century, uniting a remarkable knowledge of mathematics with a most admirable intuition of nature'; and he goes on to say: 'Like Bacon, and a century earlier, Leonardo held induction for the only sure method in the natural sciences.' Windelband,<sup>1</sup> in criticizing Bacon for not attaching due importance to *mathematics*, says: 'His tendency towards the practical end of invention blinded Bacon to the theoretical value of mathematics. . . . Modern investigation was born of *empirical Pythagoreanism* (in simpler words, *mathematical physics*). *This problem had been seen already by Leonardo da Vinci.*' (Italics mine.)

He touched on gravity, equilibrium, compressibility, elasticity, dilatation, radiation of heat, fusion, magnetism, and friction. He discovered the law of the composition of concurrent forces; determined the centre of gravity of the tetrahedron; anticipated Pascal's hydrostatic law; knew the law of equilibrium of two liquids of different density in communicating tubes; had knowledge of the law of conservation of energy; arrived at correct conclusions concerning the impossibility of perpetual motion; asserted that the velocity of a body that falls freely is proportional to the time occupied in the fall, and showed how this applies also to an inclined plane. He was much engrossed in the elastic reactions that cause bodies to rebound after they strike other bodies; and in this connexion he was the first to give a true explanation of the flight of birds. Up to his time their flight was regarded as a problem in statics, and

<sup>1</sup> *History of Phil.*, p. 387.



was likened to the movement of fish in the water ; but he explained that flight was due to the elasticity of the air on being compressed in alternating falls.<sup>1</sup>

We shall consider briefly, under three sub-headings, some of his discoveries in Light, Heat, and Sound.

(a) Light : He invented the camera-obscura. Here are his words : ' If you place yourself in a hermetically sealed room facing a landscape, a building, or any other object, and cut a small circular hole in the shutter, an image of the object outside will be thrown on the opposite wall reversed.' Cardan,<sup>2</sup> fifty years later, discovered that a lens placed in the opening will increase the size and sharpen the definition of the image.<sup>3</sup>

As would naturally be expected from the famous painter, he writes with great acumen about colors. Amongst other things he treats of the effect of the juxtaposition of colors, *e.g.*, that red gains in intensity when placed beside green. In this he anticipated Chevreul, who gets credit for it. Also he anticipated him in noting the effect of color on the complexion : ' Black clothes make the complexion look whiter than it is, white clothes make it look darker, yellow clothes heighten people's color, and red makes them seem pale.'

(b) Heat : He discovered that fire needs oxygen, and laid down the useful principle in regard to dangerous gases, ' No animal can live where a flame cannot live.' He knew of the effect of the concave mirror, and of rays of heat reflected from a glass ball filled with cold water. Above all, he knew of the force of steam, and in view of the following it is not unreasonable to suppose that, had he concentrated on the subject, Watt might never have been heard of, at least in connexion with the steam-engine. He constructed a copper cannon with two chambers at the back, in the lower one was placed lighted charcoal, and in the upper one, water ; by turning a screw he made the water fall on the charcoal, whereupon the generated steam 'drove a ball weighing one talent (about 60 lbs.) over a distance of six stadia (six furlongs) with great fuss and fury.' Surely from this to working a piston was not a long distance. In the

<sup>1</sup> See Duhem : *Cath. Encyc.*, under ' Physics.'

<sup>2</sup> *De subtilitate rerum*, 1550.

<sup>3</sup> It is said Aristotle noticed that if a square hole were cut in a window shutter, the beam of light from the sun described a circle on the wall ; but he did not push the investigation further.

museum of Valenciennes is a drawing by him of a spit which was turned by steam or rarified air.

(c) Sound: He noticed that 'a blow struck on one bell produces a sympathetic effect on another bell; that when the string of a lute is struck it corresponds with and conveys a movement to a similar string of the same tone on another lute, as one may convince oneself by placing a straw on the string similar to the one struck' (his own words). 'Who would believe,' says Govi, 'that these notes and observations anticipated those of Galileo, Mersenne, and others, which, however, they did by more than a century?'<sup>1</sup>

It would be too much to claim that he had a presentiment of the telephone, yet the following statement of his is of interest: 'If you bring your ship to and put one end of a tube in the water and the other end to your ear, you will hear ships which are quite a long way off; and if you do the same thing on land, you will hear what is going on far away from where you are.'<sup>2</sup>

Aeronaut: In a lecture recently delivered in Paris on the history of the aeroplane, Leonardo's name held a prominent place, and rightly so, as his manuscripts and many drawings prove. He contrived wings, flying cars, and winged chairs, and made therefor a close observation of the flight of birds, as his sketches show. He also invented the screw by which aeroplanes are at present driven, and invented it chiefly for that purpose. Likewise the screw by which ships are propelled is his. A drawing of it, with the vertical axis around which it worked, can be seen in the Institut de France.<sup>3</sup> But more important than any of those mechanical devices is the fact that he was the first to propound, and strenuously adhere to, the idea of a heavier than air machine as the one that would succeed. The idea lay in abeyance until it was taken up by Graham Bell,<sup>4</sup> inventor of the telephone (I am here speaking from personal knowledge, as I heard the latter refer to the matter at a lecture in New York). The Wright Brothers had confidence in Bell's theory and reduced it to practice; the rest is recent and current history. So here it is in a nutshell: Da Vinci; Graham Bell; the Wright Brothers.

<sup>1</sup> As quoted by Müntz: *Leonardo da Vinci*, vol. ii. p. 79.

<sup>2</sup> Quotation from Charles Ravaisson-Molliéu, vol. ii. p. 497.

<sup>3</sup> Müntz: *Leonardo da Vinci*.

<sup>4</sup> Son of Melville Bell, the elocutionist, and kinsman of David Bell, author of *Bell's Speaker*.



He also invented the parachute. The following words of his leave no doubt on the point : ' If a man has a pavilion (a tent) of starched linen, of which each face measures twelve cubits square, he may throw himself from any height whatever without fear of danger.'

Of an Archimedean turn of mind, his inventions can be numbered by the score. For instance : a dynamo-meter for testing machines and the strength of animals ; a saw, still in use in the quarries of Carrara ; a rope-making, and wire-drawing, machine ; several machines for the people of Milan for cutting and polishing rock-crystal and marble ; a machine for mincing meat for sausages ; machines for laminating iron, for making screws, cylinders, files, and saws ; a gold-beater's hammer ; a machine for digging ditches, and one driven by wind for tilling soil ; paddle-wheels for boats, and lamps with double currents of air. He played with marvellous adaptability with beams, cranes, supports, escape-ments, and, above all, with levers, pulleys and cog-wheels. I saw an extraordinary combination of these latter in McGill University, Montreal, and was not surprised when I was told that the inventor was Leonardo. In his writings there are fragments by the hundred, enough to constitute a treatise on physics.

In addition, he spent much time in providing surprises of a quaint kind. When Louis XII entered Milan, Leonardo constructed a mechanical lion which walked across the room, opened its mouth, and dropped a bouquet of *fleurs-de-lis* at his feet. He once deceived some naturalists by pretending that he had discovered a hitherto unknown lizard. This was one he painted in fantastic fashion, attached a pair of horns and a beard, also a pair of wings, obtained by flaying another lizard, into which he poured some drops of quicksilver so that they partook of its movement. These and such like were but fads, for the purpose of mental relaxation. But it was no mere mental relaxation, nor shallow curiosity, that led him to spend whole days amongst his strange collection of bats, lizards, reptiles, wasps, and nearly all kinds of insects, studying, dissecting, and even painting them. On the contrary—and here is the unifying principle running through his work—he wanted to pluck from nature the heart of her mystery, by knowing her in all her varieties and moods, and then mirroring her in art. But she proved too much for him, and seemed to mock his ambition, as his Mona Lisa ironically smiles at

the baffled gaze of all who strive to know the secret of her expression—a secret known only to the artist himself who felt the lure and the mystery of nature, and gave them pictorial expression in this his most personal and characteristic canvas. But enough—and if this latter appears to be a deviation from Leonardo the scientist, it is because every appreciation, as needle to the pole, will finally swing round to Leonardo the artist.

A word in conclusion as to the personality of the man. In appearance, as his portrait proves, he was remarkably handsome; of such great strength that, it is said, he could bend a horse-shoe as if it were made of lead; full of wit and humour, when he chose to let his thought-troubled brow relax; he was popular amongst his fellow-artists, and the idol of the tatterdemalions of Florence and Milan; in disposition, so amiable and gentle that his nearest approach to a harsh reply was his retort to the brusque and domineering Michael Angelo—who, as Raphael said, used to walk the street like an executioner—that he was famous before he was born; of sympathy, so wide and tender that he used not only help fellow-beings in distress, but loved bird and beast, and many a story is told how, with his spare cash,—never indeed too flush—he used buy caged birds in the market-places of both cities for the sheer pleasure of setting them free. But for all that he was sad, not alone with the sadness that so often comes to those who live from a great depth of being, but sad—and his portrait in premature old-age proves it—because he felt the shadows closing round, while his manuscripts—those sibylline leaves of science—remained unedited, and his life-work not half done; ay, and sad too for a still more personal reason, because the taint of illegitimacy in birth ever struck, like cold upon a nerve, on his sensitive soul.

This is an imperfect sketch—a mere barrow of tumbled facts—but even so, it may give some idea of this marvellous man. Greater geniuses, no doubt, there have been, men of a more Aristotelian or Newtonian grasp of mind; but if the wide page of history holds the name of a more versatile genius than Leonardo da Vinci, the writer of this article has to confess his ignorance, in that he has yet to learn whose is that name.

P. A. BEECHER.



# OUR ATTITUDE TOWARDS NATIONAL PROHIBITION AND LOCAL OPTION, CONSIDERED AS IRISH POLICIES<sup>1</sup>

BY REV. D. DINNEEN, D.D.

## I—PROHIBITION

PROHIBITION, in its restricted sense, is a legal enactment which puts a ban on intoxicating drinks used for beverage purposes. If the enactment area is local, you have Local Prohibition; if the enactment is for a whole country, it is called National Prohibition.

National Prohibition may forbid merely the sale of intoxicants for beverage purposes; or it may forbid the manufacture for export as well as the sale; or it may forbid the importation of intoxicants also. The history of the Prohibition movement in the United States has fairly conclusively shown, as we might have expected, that Prohibition does not prohibit, that it is practically a failure, except it prohibits, not only the manufacture and sale of intoxicants, but also their importation.

Prohibition bans alcoholic liquors, but only for use as beverages; alcohol for medicinal, industrial or sacramental purposes does not come within its scope. But it is necessary here to emphasize a rather important point of Catholic principle. The State has the power, if it so wills, and if circumstances call for its exercise, to forbid the use of alcohol, for industrial, and even for medicinal, purposes. But it has no right under any circumstances whatsoever to forbid the use of alcohol for sacramental purposes. Were it to do so it would be acting absolutely *ultra vires*; it would be usurping a jurisdiction to which it can never rightly lay claim, and would be bringing itself into collision with an authority which, in its own domain, must ever

<sup>1</sup> Paper read at Catholic Total Abstinence Federation Congress, September, 1919.

be supreme, the authority of the Church of Christ. Hence, if National Prohibition should ever become law in Ireland, it would be our solemn duty to see, not that the use of alcoholic drink may be permitted for sacramental purposes—for permission presupposes a right to forbid—but that the right of the Church should be definitely and expressly conceded to absolute control over the conditions of supply of sacramental wine.

What should be our attitude towards National Prohibition considered as an Irish policy?

Our Reverend President, at the last annual meeting of the Father Mathew Union of Priests, read a paper on 'The Ethics of Total Prohibition.' It was afterwards published in the December issue of the *I. E. RECORD*, and has since been published as a federation booklet. The paper is characterized by largeness of view, and a calm judicial tone and temper well worthy of imitation.

Having sketched the history of the Prohibition movement,<sup>1</sup> and brought forward evidence to disprove the allegation of anti-Catholic bias sometimes levelled at leading prohibitionists, he comes to the consideration of the ethical principles involved, and lays down two main propositions. Dr. Coffey's first thesis is as follows:—

It is the function of the State to promote the common good and economic and social well-being of the people. If, in order to accomplish this, the State finds it necessary to deprive the individual citizens of all access to the enjoyment of certain temporal or material goods or conveniences, which are in themselves lawful but not indispensable, the State has the moral power to do so.

He holds this to be an ethical principle beyond dispute, and very few thinking minds will quarrel with that statement. Listen to ex-President Taft bearing telling witness to the same effect, in words quoted by that militant bone-dry publication, the *American Issue*:—

All will admit [he says] that the State may properly pass laws to preserve the (social) morals of the community by punishing murder, rape and such crime.

The more doubtful question is where the line is to be drawn as to acts not intrinsically vicious and immoral, but having a tendency, if not restricted, to lead to demoralization in society. The line is more or less a matter of custom. The attitude of the public in respect to it differs radically in different countries, and at different times in the same country. This shows the absurdity of referring to the use of wine in the New Testament as an argument for the inalienable right to drink. . . . In no community where there is any neighbourhood relation between



one person and another, or between one family and another, can there be complete freedom of action. . . . Liberty regulated by law is that measure of freedom which can be accorded to each person without injury to the enjoyment of similar liberty by others, or to the general welfare of all.

We may take it as fairly agreed, I think, that if the State considers National Prohibition to be the only possible means of successfully coping with a national drink evil, it is within its right in enacting such a measure of reform. Indeed the opponents of Prohibition in the United States ground their opposition to it chiefly on the plea that less drastic measures than Prohibition would effectively bring the drink evil under control.

Dr. Coffey's second thesis is as follows :—

Even if such a measure is not the only possible means of promoting the common good—of remedying grave and widespread economic evils and social miseries—nevertheless, if it is believed by the majority of the community to be the most effective means, and as such is demanded by them, then, too, the State has the moral right to enforce the measure and to impose on the individual citizens the resulting inconvenience of so far restricting personal liberty.

This principle, however, many are unwilling to accept. For example, the December issue of *Studies* includes a very interesting and rather sympathetic article on 'Prohibition in the United States' by Mr. O'Hara, of the Catholic University, Washington, in which the following passage occurs—

In an usually sane article in the June number of the *Catholic Charities Review* Father Burkett asks the question : ' Is National Prohibition in accord with sound ethics ? ' He answers the question in the negative, because he finds that the drink evil is not so deep-rooted and widespread as to seriously jeopardize the temporal prosperity of all, or at least a vast majority of this community (the United States); and secondly, because Prohibition is not the only remedy which will keep the evil within narrow limits. From his own assumption his conclusions follow logically enough.

Therefore in the opinion of Father Burkett—and Mr. O'Hara seems to agree—if Prohibition is not the only remedy for the drink evil it is not in accord with sound ethics. My own view of the matter, and of the application of the general principles underlying Prohibition to the present condition of our country, I shall put before you for what it is worth and as briefly as possible.

In the first place let me say that if Prohibition puts a ban on the importation, as well as on the manufacture

and sale of intoxicants, it seems to me almost a truism to state that it is the most effective means of combating the drink evil. It will not, of course, eliminate it; infringements of the law will be inevitable. But the very nature of the enactment, and the experience of its working where it has been in force, leave no reasonable doubt as to its being the most effective remedy.

Secondly, Prohibition being an enactment of a very searching and drastic character, statesmanship would demand, at least for our own country, that a direct vote of the nation be taken on the question as a preliminary. As to the majority required, absolutely speaking, there is no reason in ethics why a bare majority in favour of Prohibition should not suffice. But since there is question of a law which intimately affects the liberty of every individual in the nation, in order that the law may have a well grounded hope of success, and so fully justify itself, I am inclined to think that a two-thirds majority in its favour should be postulated.

Thirdly, before hazarding an answer to the main question at issue, I wish to emphasize the necessity of discriminating between drunkenness and the drink evil. We are out to fight not merely the former, but the latter as well. Now the drink evil has a far wider reach than drunkenness. Drunkenness radiates the drink evil. Every self-made victim of drink is very likely to drag victims in his unsteady train, innocent victims who may never have known the taste of alcohol, but who have been brought within the shadow of its blighting curse. Nay more, the drink evil can exist quite independently of drunkenness. A man, by the use of intoxicants, may notably impair his efficiency, may seriously injure his health, may even gravely endanger his life, and yet pass for a sober man. A father may drink the clothes off the backs of his children, the bread out of their mouths, the fire out of the hearth, and peace and happiness out of the home, and yet not be a drunkard. And a mother who never seriously clouds her brain by the fumes of alcohol may mortgage to the drink demon the future of every babe that she suckles at her breast.

To what extent, then, must the drink evil permeate a nation to justify National Prohibition on this score?

Dr. Coffey says it should be widespread, a statement which is incontrovertible, but a little indefinite. Father



Burkett, in the words which I have already quoted, says it should be so deep rooted and widespread as to seriously affect the temporal prosperity of at least a majority of the community. With this statement I respectfully beg to join issue.

The social authority may be called upon to legislate for various evils, varying in character, in gravity, and in malignancy. With regard to most of them I am quite prepared to admit that they should seriously affect the great majority of the community before the social authority is justified in combating them by sweeping and drastic legislation. But the drink evil strikes a peculiarly deep note of social danger. Excluding race suicide, amongst all social evils the drink evil I conceive to be supreme. It out-Herods them all. It is a creeping paralysis, ultimately affecting the whole national organism, a malignant disease eating into the very vitals of the nation. An evil which can empty homes of comfort, sufficiency, happiness and peace; which can fill workhouses, hospitals, jails, and asylums, and people graveyards before their time, such an evil constitutes so deep a menace to a nation's social and economic well-being, that it clamours loudly for speedy repression. If it has got its grip on even a substantial minority—say one-third—of the population, it would seem to be the duty of the social authority to come to the nation's rescue. And, therefore, in such a contingency, if it fails to pass and enforce even such a drastic enactment as National Prohibition—provided at least that Prohibition be considered the only effective remedy for the evil—it is not merely foregoing the exercise of a right, but failing in the discharge of a most solemn duty.

Does the drink evil seriously affect one-third of the population of Ireland? Let us consider. In the year 1875 the Bishops of Ireland, in council assembled, uttered the following fulmination:—

Drunkenness has wrecked more homes, once happy, than ever fell beneath the crowbar in the worst days of eviction; it has filled more graves and made more widows and orphans than did the famine; it has broken more hearts, blighted more hopes, and rent asunder family ties more ruthlessly than the enforced exile to which their misery has condemned emigrants.

Against an evil so widespread and so pernicious, we implore all who have at heart the honour of God and the salvation of souls to be filled with a holy zeal.

The vulture wings of the monster have been clipped a little since then; but still, it would be hard to prove that at the beginning of the recent world war this terrible indictment had become out of date. During the war, owing to various causes, the demon was kept in fetters. But the fetters are being already loosened; and, as far as one can read the signs and portents, if the same facilities and inducements continue to exist as obtained in pre-war days, there is a very grave danger that, at least for a period—to which, not being a prophet, I cannot assign a limit—the solemn episcopal indictment of 1875 shall be realized again. From which consideration I infer that if Prohibition be considered the only remedy for the drink evil in Ireland, such a condition of servitude to its tyranny is likely to exist amongst our people in the near future as to justify its enforcement.

There remains the further ethical question. Suppose that National Prohibition has not been proved to be the only effective means of bringing the drink evil under fair control, does the fact that it is the *most* effective means justify the social authority in passing and enforcing such a drastic measure of reform?

Some laws of the State are mandatory—they say: ‘Thou shalt,’ others are prohibitory—they say: ‘Thou shalt not.’ Mandatory laws, generally speaking, restrict personal liberty of action only at certain intervals, and, sometimes, not at all. The law, for example, which commands a man to pay taxes affects his liberty of action only a few times a year. It may not affect his personal liberty at all: if another man pays the taxes for him the law is quite content. But prohibitory laws are always dogging the citizen’s footsteps, and always on the watch to trip him up. A prohibitory law, therefore, is, as such, a much more intimate and abiding restriction of personal liberty than a mandatory law, and, as such, requires a stronger warrant to justify it.

Now National Prohibition of intoxicating liquors is a prohibitory law of a very stringent and aggressive character. For it affects the liberty of every individual in the community who is capable of being bound by law, and this with regard to acts, which are in themselves morally and socially legitimate. This consideration of itself seems to many so decisive that, on the strength of it alone, they hold National Prohibition to be ethically indefensible,



except as an absolutely necessary measure of urgent social reform. Personally, I admit the strength of the consideration, but I do not think it quite decisive.

But there is a further aspect of National Prohibition to be considered in its relation to personal liberty. As I have stated already, if prohibition is to prohibit, if it is to be something more than a name, it must put a ban, not only on the sale and manufacture, but also on the importation of intoxicants. Now consider what this means when it comes to the enforcement of the law. Since importation is banned it is, presumably, an offence against the law to have intoxicants in one's possession at all for use as beverage. If, then, the law is to be satisfactorily enforced, the State officials must have the right—and this right must be often exercised—to search any individual at any hour and in any place. They must have the right, furthermore, to invade the privacy of any man's dwelling and search the house from roof to basement in the pursuit of contraband.<sup>1</sup> To commit such power to public officials, whether they represent a foreign or a native Government, seems to me, considering all the possibilities of corruption and victimization involved, to be justified only by pressing national necessity. And therefore I, for one, would not give my vote for National Prohibition, except as a last desperate remedy for an otherwise incurable disease. And I refuse to believe—indeed there is no evidence to prove—that such a crisis has been yet reached in Ireland.

There is a consideration extrinsic to the ethics of the question which should incline us very strongly to adopt an attitude of reserve towards a movement for National Prohibition. The Catholic Total Abstinence Federation is a national religious body, and represents a Catholic nation. To compass its ends it depends on organization and education, but, above all, on supernatural motives

<sup>1</sup> In the Prohibition Enforcement Measure passed by the United States House of Representatives on July 22nd, what is called the Search and Seizure Clause is framed thus, as regards lawful possession of liquors: 'But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him as his dwelling only, and such liquor need not be reported; but such liquors must be used for the personal consumption of the owner thereof and his family residing in such dwelling, and his *bona fide* guests when entertained by him therein.' But, 'The burden of proof shall be upon the possessor to prove that such liquor was lawfully acquired, possessed and used.'

and aids. It has not asked the State to help its efforts positively and directly, it only demands that the State, by act or omission, shall not unduly hamper them, that the State shall allow its efforts fair play. Then, it was born only the day before yesterday. It has only begun to find its feet. It has not yet got into its stride, has not yet had time or opportunity to realize even a small fraction of its beneficent possibilities. It is day by day growing in numbers, in compactness, in influence and in conscious strength. Even in the short span of its existence it has shown fair and growing promise. Would it not, then, be doing an injustice to itself, to the faith which it possesses, and to the nation which it represents, if it declared itself in the early morning of its life, not only bankrupt in achievement, but bankrupt even in hope?

We may indeed fairly and consistently claim that the State will not allow the multiplication of drink licenses to such a degree, or authorize the sale of intoxicants in such circumstance or under such conditions as must almost inevitably lead to serious abuse. Also, we may well claim that public drunkenness be considered a grave social offence, and punished accordingly, and that its aiders and abettors, especially if they are gainers by the offence, be not considered less guilty than its victims. We may consistently even claim that the State give the people in local areas a voice in the control of the drink traffic. But we should be very slow to throw up our hands; to shift bodily on to the shoulders of the State the responsibility which we have so recently and publicly taken on our own; to confess before all men that voluntary effort and supernatural means are likely to be found wanting, and that Catholic Ireland has little or no hope of freeing itself from the thralldom of the drink evil except by the help of the strong arm of the law.

The limits of time at my disposal will allow me to say only a brief word about

## II—LOCAL OPTION

Local option, in its restricted sense, is a Gladstonian phrase, and means an option or choice given to local communities as to the sale of intoxicating drink within their respective areas.

In order to give a definite idea of Local Option I cannot do better than bring under your notice the Temperance



Scotland) Act, 1913. In the main it is a local option measure, and though passed in 1913, its local option provisions do not come into force before June 1, 1920. The reason for suspending the operation of the Act for seven years seems to have been to give license holders at least seven-years' purchase by way of compensation; there is no formal mention of compensation in the Act. I wish it to be distinctly understood that I do not introduce this measure necessarily as a head line for imitation, but merely as a text for consideration and discussion.

As a Local Option measure it is described as an Act to promote Temperance in Scotland by conferring on the electors in prescribed areas control over the grant and renewal of certificates (license certificates).

What is an area? It may be a borough or a county area. In the case of a borough divided into wards—if the borough has a population of not less than 25,000—each ward of the borough which has a population of not less than 4,000 is an area. If the population of the borough is less than 25,000 the whole borough is an area. In the case of the county, the parish is the area.

Who are the electors? In a borough every person, registered as entitled to a vote for Town Councillors; in a county area every person entitled to a vote for Parish Councillors.

It is the duty of the Local Authority to carry out all arrangements in connexion with voting; and the Local Authority for the borough is the Town Council; for the county it is the County Council.

The chief provisions are the following:—

If a requisition demanding a poll (to be taken by ballot) is found by the Local Authority to have been duly signed by not less than one-tenth of the electors for a particular area, the Local Authority shall cause a poll of the electors to be taken.

The questions to be submitted to the electors shall be the adoption of (a) a *no-change* resolution, or (b) a *limiting* resolution, or (c) a *no-license* resolution. A *no-change* resolution means that the powers and discretion of the ordinary licensing court shall remain unchanged. A *limiting* resolution means that during the period the resolution is in force the licensing authority cannot grant more than seventy-five per cent. of the licenses in existence when the resolution was carried. A *no-license* resolution.

means that during the period this resolution is in force no license shall be granted in the area—except that the Licensing Court may grant one or more licenses for an inn or hotel or restaurant, which, however, shall be granted only on condition that there shall be no drinking bar on the premises, and that exciseable liquors shall be sold by retail only, and to none but persons residing in the hotel or inn, or persons taking a meal at a restaurant for consumption with such meal.

What majority is necessary? If fifty-five per cent., at least, of votes be recorded for a *no-license* resolution, and not less than thirty-five per cent. of all votes in the area, such resolution shall be deemed to be carried. A bare majority of the votes recorded, which is not less than thirty-five per cent. of the whole register carries a *limiting* resolution. A bare majority of the votes recorded, without qualification, carries a *no-change* resolution, or if no other resolution be carried.

No elector can vote for more than one resolution, but if a no-license resolution be not carried, the votes recorded in its favour shall be added to those for limiting resolution, and be deemed to have been recorded in favour thereof.

The decision of the licensing authority in refusing or reducing licenses in pursuance of a no-license or limiting resolution shall not be subject to appeal.

When a poll has been taken, a further poll shall not be taken before the month of November in the third year from date of last poll. Such poll may be taken to repeal a no-license resolution, if in force; if limiting resolution is in force, for its repeal, continuance, or for a further limiting resolution, or a no-license resolution. If *no-change* resolution is in force, for further no-change or for limiting, or for no-license resolution.

These are the chief features of the Act. I do not deem it necessary, even though I had time at my disposal, to discuss its provisions in detail, for a reason which will appear in a moment. But one general observation is immediately suggested by our inspection of this measure. It is that Local Option is not a very drastic measure of reform, and, therefore, from the point of view of individual liberty, is much more easily justified than National Prohibition. Indeed, ethically considered, Local Option, as embodied in the Temperance Act for Scotland may be fairly regarded as 'Passed by the Censor.'



As to its effectiveness, it has in it big possibilities for social betterment. But it is very seriously self-handicapped. For instance, it is not at all unlikely that the exercise of the vote may, by proper manipulation, result in a no-change resolution in an area which is specially drink-sodden and drink-cursed. Then again, suppose that a no-license resolution has been passed. This means, at most, that only the sale of intoxicants is forbidden in the area. But it does not prevent any thirsty soul who lives in the area from slaking his thirst at the nearest bar beyond the border. Nor does it prevent him from ordering his supply from beyond the border and drinking his fill at home. An evident comment on this double possibility of evasion is that, in order that even a no-license resolution may give promise of anything like satisfactory results, the units of area must not be too circumscribed, and the area in which no-license resolutions are carried must substantially predominate.

What, then, should be our attitude towards Local Option? I am strongly disposed to think that it should be an attitude of waiting. And I am led to that conclusion briefly by the following reasons. First, Ireland is scarcely ripe for a Local Option campaign. A more widespread temperance organization and a more educated public opinion on the drink question seem to me to be necessary to ensure for such a measure reasonable hope of success. It would injure rather than serve the cause of temperance to have secured a Local Option Bill if, in the majority of electoral areas, the voting favoured a continuance of existing licensing conditions. Second, it would, I fancy, be helpful to us to wait and watch the outcome of the experiment in Scotland, and learn wisdom from its success or failure. Third, and this I would emphasize strongly, our demand has been already made—and with fair hope of successful issue—that our shameless and most baneful overstock of public-houses be scrapped, their surviving brethren, in the first instance, to foot the bill of compensation. Now the starting of a Local Option campaign would clearly compromise this demand; and we should gain more by the closing of eight thousand, than by the problematical success of a Local Option Bill. And, even when our demand shall have, as we hope, borne fruit, Local Option should still have to bide its time, for otherwise the incidence of compensation would be very

seriously complicated, and confusion and trouble would inevitably follow.

Therefore, I would say in conclusion, let our demand for the closing of our surplus stock of public-houses be clamant and insistent, for I think we may regard it as by far the most important item in our external policy. Let us also continue to press for the other legal enactments already listed on our programme, and referred to by our Reverend President in his opening address.<sup>1</sup>

Let the watchword of our internal policy be : organize and educate,—above all organize and educate the young, till and cultivate with zealous and persistent care the virgin soul of the nation. I for one hold fast to this faith—that, if on the one hand we could permanently close the doors of eight thousand of our beer-shops, and if on the other we organized and educated the children of our land in a fashion and measure quite within the limits of our power—we may fairly hope, with the blessing of Heaven, and through the intercession of Our Lady and of the Irish saints, in due time to get a salutary stranglehold on the pernicious drink evil, which militates so mightily against the glory of God and the well-being and honour of Erin.

D. DINNEEN.

<sup>1</sup> These reforms are (1) extension of Sunday closing to the five exempted cities ; (2) abolition of the *bona fide* traveller scandal by total prohibition of the sale of intoxicants on Sundays and Holydays ; (3) permanent prohibition of the creation of new licenses ; and (4) automatic endorsement of convictions on licenses combined with the right of appeal from dismissals.



## EDMUND BURKE

By JOSEPH J. MACSWEENEY, M.A.

### II

THE trial of Warren Hastings occupied Burke down to almost the close of his life. He had been for long a close observer of Indian affairs, and he was led to believe that Hastings was culpable of all the high crimes and misdemeanours with which he indicted him at the famous trial. He sprang tiger-like upon the late governor, as the embodiment of all the evil that scourged the unhappy land, forgetting that Hastings inherited a system which engendered anarchy, and to which he, in some measure, fell, in his own person, as a victim. The historic Hastings is somewhat different from the Hastings of Burke and Lord Macaulay, but the acquittal of the Indian governor (in whole or in part) by no means indicts his accuser. Some, indeed, have sought to find in the vehement opposition of Burke to the Indian governor a personal antagonism. It is the last of reasons: Burke aimed not at a personal triumph but to end a bad system of oppression, and as Macaulay finely said, 'Oppression in Bengal was to him the same thing as oppression in the streets of London.'

What really lay at the root of the trouble in India was that the Company had all the powers of government without its responsibility, and that at home the public conscience was not awakened to the true state of affairs. People thought of India as a land almost of romance, and Parliament treated of its affairs in their relation to party tactics, rather than as serious imperial concerns. It must be remembered that neither Pitt nor Grenville replied to the *Speech on the Nabob of Arcot's Debts*, and that Parliament would never have proceeded with the impeachment of Hastings were it not that Burke's persistence won at last Pitt's tardy consent. The charges were formulated against Hastings in 1786, and two years later Burke opened the case for the prosecution, with a speech the power of

which is adequately testified to by Frances Burney in a memorable passage of her diary. But if the main facts of the trial, by reason of their familiarity, hardly need recounting, it must be remarked that, though in 1795 Hastings was acquitted, Burke had won a victory. He laid an old and evil system in its grave, and established the principles which should guide Europeans when governing native races. But the moral attitude so enunciated is capable of development, and Burke's theories were obviously in advance of the ethics of the time. Yet we cannot even now boast a final solution to this ethnological problem. Far from it: a distinguished folk-lorist wrote, not indeed a long time ago, the following significant words:

The forces of civilized society, at present, are destroying on all sides, not saving that which is precious in primitive people. Civilized society supposes that man, in an early degree of development, should be stripped of all that he owns, both material and mental, and then be refashioned to serve the society that stripped him. If he will not yield to the stripping and training then slay him.

The years Burke gave to the impeachment were years given to what he believed to be a genuine defence of the oppressed, and later, when his pension was attacked, he wrote:—

If I were to call for a reward (which I have never done) it should be for those (*labours*) in which, for fourteen years, without intermission, I showed the most industry and had least success: I mean the affairs of India. They are those on which I value myself most, most for the importance, most for the labour, most for the judgment, most for the constancy and perseverance in the pursuit. Others may value them most for the intention. In that surely they are not mistaken.

\* \* \* \* \*

The trial had thus occupied many of the most valuable years of his life, but between its opening and close much had happened. In 1788 the King had again become insane, and the influence of Carlton House was once more invoked to place the Whigs in power. Fox, however, did not invite Burke to consultation in forming the abortive Cabinet and, stranger still, he was not thought acceptable as a possible Chancellor of the Exchequer. Once more he was to be given the subordinate post of Paymaster, a place not equal to his talents and the services he had rendered to his party. Conjecture has been fruitful in giving reasons for his exclusion from high Cabinet rank.<sup>1</sup> Perhaps it was

<sup>1</sup> Gladstone in the *Nineteenth Century*, June, 1896, p. 1041, in an article on Sheridan, gave his views on this subject and also a traditional interpretation of it as derived from Lord Lansdowne.



due to the exclusiveness of the Whig oligarchs, perhaps to defects in his own character. He had been intemperate in his speeches on the Regency Bill, he had irritated his friends in conversation, he had lacked, at times, sufficient self-control, and even once told the Commons that he 'could teach a pack of hounds to yelp with greater melody and more comprehension.' Add to this, the social disabilities he suffered from his own household and his own finance, the hunt of obloquy that pursued him through life, and the fact that, as Windham said, 'half the kingdom considered him little better than an ingenious madman,' and some reasons may not unnaturally be discerned for his exclusion from high office. But though such facts be taken into account, it must be conceded that Fox, whose gambling propensities were well known, was the last man who should have pointed a condemning finger at the brilliant statesman, who lacked the smooth placidness of mediocrity, and whose defects and errors were derived for the most part from an excess of virtue.

But the Whigs did not return to power, and an event happened which raised Burke higher than Cabinet rank—the fall of the Bastille and its sequel.

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A review in the *Athenæum* (December, 1918), entitled 'England and the French Revolution,' naturally involved Burke's attitude towards the revolt. The French Revolution was not an event that merely shook the foundations of thrones, but altered the attitude of mankind towards the idea of government. Being, therefore, an occurrence which bears upon the structure of society, it is also an event for all time. What the reviewer in the *Athenæum* has, therefore, to say, in regard to Burke's attitude towards the revolt, is of importance:—

Burke is a bad guide to the Revolution, which he never understood. But in his saner moments he had the supreme merit of realizing that it was something tremendous and unprecedented, and that it was not 'the blind and bloody band of sans-culottists,' but 'an armed theory.' He was in agonies of horror and indignation, because he knew that after 1789 the world could never be the same again.

This quotation reflects, it seems to me, an attitude of mind towards Burke which is not uncommon. Burke is regarded by some, in relation to the French Revolution,

as an obscurantist of a political kind. His critics consists of two types, those who praise the *Speech on Conciliation with America*, and disparage his *Reflections on the French Revolution*, and those who disparage the *Speech on Conciliation with America* and praise without reserve the *Reflections on the French Revolution*. It is well, therefore, to understand what exactly is the merit of the *Reflections*.

The French Revolution has many aspects, and Burke's work probes the basis of the revolt on one side, at least. It is not, as sometimes conceived, a florid and picturesque attempt to idealize the *ancien régime*, but a real attempt at the solution of some basic principles involved in the event. If, at times, he appears more oratorical than scientifically inquisitive, it is because he wished that action might be taken against those who desired to spread the philosophical tenets of the Revolution. He brought to the consideration of the Revolution a mind accustomed to watch the course of great events that mould human destinies, and having observed the movement closely, and having perceived its trend, he brought a great part of the nation to think about it as he thought. His *Reflections* might be said to have tuned the reaction up to concert pitch, and, if I may be permitted to juggle with words, the Concert of Europe was not at all unwilling to respond. 'Burke had,' as the reviewer in the *Athenæum* wrote, 'supplied the reaction with a body of philosophical doctrines, which were none the less powerful, because it is extremely improbable that they were understood by nine-tenths of those who applauded them.'

Despite, however, ignorant applause, Burke's attitude had an intellectual basis. He had a high regard for prescriptive right, and hence for the rights of vested interests and property. He could not brook to see the religious superseded in its lawful domain by the secular idea. What he most feared was the type of mind possessed by those who desired reform, and wished to see it achieved precipitately and in their own day; the type of mind that always opposes authority, because it presses forward truth and measures at inopportune times. What, as a consequence, roused his ire was not so much the Revolution itself, as its philosophy, which seemed to him to oppose an ordered liberty and the existence of religion.

His work was, in a sense, prophetic; it foretold the



Empire, for in discussing the future of the army and the evil of a fluctuating authority, he wrote :—

In the weakness of one kind of authority, and in the fluctuation of all, the officers of an army will remain for some time mutinous and full of faction, until some popular general, who understands the art of command, shall draw the eyes of all men upon himself. Armies will obey him on his personal account. There is no other way of securing military obedience in this state of things. But the moment in which that event shall happen the person who really commands the army is your master; the master (that is little) of your king, the master of your assembly, the master of your republic.

Besides being prophetic, the work founded conservatism, not on social prejudice, but on a reasoned intellectual basis. It gave Louis XVI a tongue; but Louis XVI did not avail himself of it to become a constitutional monarch: the civil constitution of the clergy, and the flight to Varennes made that impossible; and, by a strange irony of fate, the levelling and centralizing process of the Revolution prepared the way for a new absolutism. Political theorizing applied to the body politic availed more than the methods of Louis Quatorze.

The main defect in Burke's work was that in defending historic institutions he ignored their defects and their victims. It was vain to ask a mob seeking for bread to consider their life in the light of a greater justice than is here. The time was one not for investigating causes, or preaching a philosophic calm, but for applying remedies. Burke's weakness lay chiefly in considering a practical issue in the light of a conservatism inspired by political mysticism. But in a greater sense his work was practical, and exhibited only a superficial want of consistency with the writings on Warren Hastings and the speeches and works on the American Colonies. A principle of high importance underlay his attitude to all these three events, namely, that circumstance is a discriminant in determining the evil or good of a measure without regarding it abstractly as either right or wrong. What he really was concerned with was the question of law and order—peace, tranquillity. Why trouble if peace reigned—why probe the foundations when the house is safe, and the people all sleeping soundly? He threw his influence as a consequence on the side of the law and order man, even though he were a dullard, rather than on the side of the intellectual who was a revolutionary; and he did not feel the exultation of the young

poet (later to become an opponent of the first Reform Bill) who saw in the changing state of affairs a new dawn. Burke suspected intellectual unrest, particularly in the form of a cheap radicalism, and he saw in the aristocracy a guarantee for social stability and continuity. The fox-hunting of Lord John Cavendish, together with the ancient reserve and simplicity of manner that distinguished, or was supposed to distinguish, his kind, were preferable to the development of the type of mind that seeks in the town the increased activities of modern life, and for which culture, race, tradition, have but little significance. It was thus that Burke's opposition to the revolutionary philosophy, derived from his conservatism, and the intellectual aspect of Jacobinism became to him abhorrent. 'Nothing, he wrote in a memorable passage, 'nothing can be conceived more hard than the heart of a thoroughbred metaphysician.' It is the expression in prose of the repugnance felt by Wordsworth, in his later conservative years :—

Philosopher! a fingering slave,  
One that would peep and botanize  
Upon his mother's grave.

But, though his philosophy was tinctured with political mysticism, he was a conservative in touch with actual life. He was the agent of conservatism and not its embodiment; its reserve, its detachment, and its unflinching course were not wholly his; he was only in a sense a reactionary against action. In the domain of political thought his work bears vastly upon problems as yet unsolved.

The *Reflections* focus for us an intellectual strife, and the struggle between the two forces with which it dealt has continued, for it is the same movement that, encouraging individualistic rationalism in the past, tends to seek an end in internationalizing finance, politics, culture. But local and patriotic attachment to the native soil seems to have engendered a reaction. A French poet has even said somewhat triumphantly :—

Elle est la terre en nous malgré nous incarnée  
Par l'immémorial et sévère hyménée  
D'une race et d'un champ qui se sont faits tous deux.<sup>1</sup>

<sup>1</sup> Quoted by J. Texte in a similar sense as regards comparative literature, Lamartine wrote in 1841 verses which express a tendency in literature



Such natural forces tend to breed—by, as it were, a device of nature—a type which acts through sentiment and instinct, and in which the resultant of such forces engenders a conservatism that makes it guard the homeland. It is when this instinct fails to act successfully that there is a tendency towards the democratization of national institutions, and that there is a bias set in the direction of internationalism. But even an international aspect tends to cause reaction, for it is when one cultivates a comparative aspect in any domain that the sense for what is local becomes most acute. The idea of cultural autonomy has, for instance, become precious because the comparative sense has made it so. But if, in the natural order of things, finance, politics, culture, tend to internationalize, if this local sense is only a temporary recrudescence of a departing phase, a temporary winding back of the river of progress upon itself, then a main function of conservatism must be to act as a brake upon the evolutionary wheel. But should it try to stop the course of nature, its forces may be for a time pent up, but they will assuredly burst forth again in a cruel flood. The French Revolution was a ganglion in the political nervous system of Europe, the recurrence of which depends largely on how we reconcile our homing instincts with a broader world humanity.

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Burke's opposition to the French Revolution led to his breach with Fox; a breach which culminated in his intemperate speech on the Canada Bill of 1792. But in the split among the Whigs that ensued, the public were as yet unprepared to follow him in his vehement denunciation of what he once termed 'the cannibal philosophy of France.' In his *Appeal from the New to the Old Whigs* he tried to vindicate himself against the charge of inconsistency made

that is greatly opposed to the local national note of the lines quoted above (p. 304):

Et pourquoi nous haïr, et mettre entre les races,  
Ces bornes ou ces eaux qu'abhorre l'œil de Dieu ? . . .  
Nations, mot pompeux pour dire : Barbarie !  
Déchirez ces drapeaux, une autre voix vous crie :  
'L'égoïsme et la haine ont seuls une patrie,  
La fraternité n'en a pas !'

Ce ne sont plus des mers, des degrés, des rivières  
Qui bornent l'héritage entre l'humanité  
Le monde en s'éclairant s'élève à l'unité . . .  
Je suis concitoyen de tout homme qui pense :  
La vérité, c'est mon pays !

by Fox. Vituperation, excessive abuse, ill-considered statements, marred this anti-revolutionary pamphlet, which otherwise contained a skilful defence of prescriptive rights, and of government—‘a power out of themselves by which the will of individuals may be controlled.’ It would seem indeed that Burke’s previous intellectual opposition to the Revolution was developing into mere unreasoning prejudice, and the letter he wrote in 1791 to a member of the National Assembly would have wrecked any reputation but his. Reason therein gave way to passion, and a stately indictment to an abusive intellectual Billingsgate. Though in the *Thoughts on French Affairs* he seemed to have retained a proper balance of judgment, yet his opposition went so far as to call for war. He found Pitt and Grenville obdurate, but the tide of events was with him: the flight to Varennes, the invasion of the Netherlands, the Prussian and Austrian coalition to aid the Bourbon, and the identification, as a consequence, for the first time, of Republicanism with French patriotism in defence of the native soil. The change was kaleidoscopic, and when finally the head of a king was thrown down in challenge, all England stood for war. The scene in the House when, in denouncing the Revolution, he cast a dagger on the floor, had almost brought him into ridicule; the last happening in France made the dagger a symbol.

A war coalition was formed, and Windham voiced in the Cabinet the opinions of Burke. The latter desired to conduct the war as a crusade, but Pitt only regarded it as an opportunity to further colonial expansion. Burke’s one difficulty was to ward off the danger of an imminent peace, and any compromise being arrived at with the regicides. To this end all his efforts were bent, and he kept in touch, through the medium of his son, with the emigrant nobles at Coblenz. His attitude towards events in Europe increased his power and fame, and Pitt, with extreme astuteness, was led to propose a peerage for him. His influence with the Portland Whigs counted for much in Pitt’s taking this course of action, but the proposal to bestow the title of Earl of Beaconsfield on Burke fell through with the death of his only son, Richard. A pension was substituted for the peerage; but, just as he had not received his first preferment unassailed, neither did he receive this last gift unquestioned. The Duke of Bedford was, however, the last who should have attacked the gifts of the crown. The house of Russell had inherited its great



wealth from the dubious patronage of Henry VIII, and Burke used the circumstance as a weapon of defence. The Duke charged him with acting inconsistently with his scheme of economical reform. 'Economy,' wrote Burke 'is a distributive virtue, and consists not in saving, but in selection. . . . Had the economy of selection and proportion been at all times observed, we should not now have had an overgrown Duke of Bedford, to oppress the industry of humble men, and to limit, by the standard of his own conceptions, the justice, the bounty, or, if he pleases, the charity of the Crown.'

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In the *Letters on a Regicide Peace*, and not in the *Thoughts and Details on Scarcity*, is to be found the final phase of his mind. They were his last effort against the French Revolution and its consequences, and have been praised and blamed mainly on a dubious reading of history. What they lack most in insight is, that in them Burke failed to give evidence that he perceived that he had no longer to deal with the former spirit of the Revolution, but with a government settling down to a somewhat ordered and progressive state, and reviving some of the old ambitions of France. Ever since the Convention, afraid of the growing Royalist reaction, stifled electoral freedom with the aid of the military genius of Bonaparte, in the Rue Honoré, that reaction had grown in power. The question was, therefore, not to urge on the dogs of war, but to await the psychological moment for the opening of peace negotiations. The imminence of a Royalist reaction was apparent, and a Restoration would have been better secured by a peace which, preventing the *coup d'état* of Fructidor, 1797, would have possibly placed, by constitutional means, Louis XVIII on the throne. It is vain, therefore, that one tries to close one's eyes to the fact that perhaps these letters were among the whips that drove Europe through the relentless campaign that ended at Waterloo.

In 1797, before the third Letter on a Regicide Peace appeared, when clouds were gathering over Europe, and a long agony was at hand, George Canning wrote to Ellis, a member of Malmesbury's abortive peace embassy: 'There is but one event, but that is an event for the world—Burke is dead. . . . He is the man that will mark this age, marked as it is in itself, by events, to all time.'

JOSEPH J. MACSWEENEY.

# NOTES AND QUERIES

## THEOLOGY

### QUASI-DOMICILE AND MARRIAGE

REV. DEAR SIR,—Would you please solve the following case in the next issue of the I. E. RECORD :—A girl had been in service with a relative in this parish (A) for many years. She was married to a man who lived near her place of service in same parish (A). They are both now living in parish A. She had the intention before marriage of residing in parish A, but not in place of service. Before marriage she went to her parental domicile in parish B for eight or ten days. They had given the marriage fee to the parish priest of A. Having obtained dispensation in Banns, the parish priest of A gave leave to the parish priest of parish C to perform the ceremony, as the parties had arranged to have the marriage celebrated there. The girl spent some of the eight or ten days, mentioned above, *there*, before marriage. Did she retain her quasi-domicile in parish A, or did she lose it by going home for eight or ten days previous to marriage?

An agreement had been come to between the parish priest of A and the bridegroom, when the latter was paying the marriage fee, that, should the parish priest of parish B have a claim to marriage fee, the ordinary fee for certificate would be deducted from marriage fee and retained by priests of A. Was this agreement proper?

P.P.

Whether the girl lost her quasi-domicile when she left the parish depends on her intention. She may have meant :

1°. To return to parish A, whether the marriage took place or not. If so, she retained her quasi-domicile : an absence of eight or ten days would not affect the matter.

2°. To return to parish A, *if* the marriage took place. In that case she lost her quasi-domicile. The Statute *Ea quae*, to which we have referred more than once already,<sup>1</sup> makes that intention negligible.

The first supposition would seem to be correct : for 'she had the intention before marriage of residing in parish A, but not in place of service.' So, we should say, the quasi-domicile was retained.

The parish priest of C gets, in Ireland, a 'reasonable' fee. Whatever remains goes to 'the parish priest of the bride.' When there are two, as in this case, there is no definite provision made regarding the division.

<sup>1</sup> I. E. RECORD, January, 1915, Fifth Series, vol. v. pp. 65-7, etc.



apart from special arrangement, we think equity suggests that each get half.<sup>1</sup> But, in this case, there *was* a special arrangement. We see nothing wrong in the agreement—provided no injury be done to the parish priest of C.

#### REVIVAL OF A CONTEMPORARY

We have just been favoured with a copy of the current issue of the *Nouvelle Revue Théologique*—the first that has appeared since the war began. It recalls the first days of the great calamity. Preparations had just been completed for the publication of the August (1914) issue when, with very little warning, the works were shattered by the shells, the type commandeered and carried off, the printing staff scattered and disorganized. When the worst of the trouble was over and the armistice signed, the management tried to get matters in hands again; but the destructive forces of four years were not to be counteracted in a moment. Difficulties were encountered at every step. The ordinary monthly publication cannot be resumed till January next. In the meantime one copy is supplied free to previous subscribers. It covers the period from September, 1914, till October, 1919—surely a record number in the history of the Review. To compare great things with small, it reminds us of the early days in May, 1916, when, after a short experience of war at their doors, the Dublin newspapers reappeared with six or seven consecutive dates printed on their title-pages. The editor refers to 'the increased expense that presses with such a heavy hand on the printing trade'; we all know of it: without friendly and generous support from its subscribers, no magazine can now hope to appear in its former style or with anything approaching its previous prospects of financial stability. He modestly adds that he 'has had assurances from various quarters that the work was useful.' May we add our own assurance to the number? We certainly found it more than useful: it threw light on almost every new movement of ecclesiastical interest. We are glad to have this opportunity of expressing our appreciation, of congratulating the directors on its re-appearance, and of wishing them all the success that marked their labours in the past.

#### SOME ROMAN REPLIES

In the present number of the Review just mentioned we find one section (pp. 550–62) devoted to the decisions of the Commission for interpreting the Code. Eighteen of the replies are quoted. Ten of these have been published in the *Acta Apostolicae Sedis*, and noticed already in the I. E. RECORD. The remaining eight have been sent to individual Ordinaries. According to Canon 17, as the editor takes care to remind his readers, these eight are not to be taken as having the same force as the law itself, except in so far as they declare the meaning of 'words in themselves certain': but, all the same, they furnish a safe and authorized rule in practice. They have been borrowed by the Review from various

<sup>1</sup> See I. E. RECORD, December, 1914, Fifth Series, vol. iv, pp. 628, 629.

sources; and we think we may presume on the editor's permission to continue the borrowing process.

*Children and the Paschal Precept.*—The Bishop of Valleyfield inquired whether 'children, who, though they have not yet reached their seventh year, have, because of attaining the age of discretion or use of reason, been already admitted to first Communion, are bound by the twofold precept of yearly Confession and Paschal Communion.' The answer (dated 3rd January, 1918) is 'Yes.' We will give it in full in Cardinal Gasparri's own words:—

*Affirmative.* Et ratio in aperto est. Nam quamvis can. 12 statuatur: 'Legibus mere ecclesiasticis non tenentur . . . qui, licet rationis usum assecuti, septimum aetatis annum nondum expleverunt,' subdit tamen 'nisi aliud in iure *expresse* laveatur.' Iam vero in can. 859, § 1, et 906 *expresse* cavetur: 'Omnis utriusque sexus fidelis *postquam ad annos discretionis, idest ad usum rationis, pervenerit, etc.*'

The Bishop, we may take it, proposed the query because it involved a nice point in theoretical interpretation—probably raised at some Conference or other. For, from the practical standpoint, it is really of very little importance. A child, whose spiritual development and devotion are abnormal enough to justify his admission to Communion at (say) the age of five, is not likely to fail very often in fulfilling an annual precept within the next two years.

*Fast and Abstinence.*—The same Bishop inquired whether 'Canon 1252 has universal binding force, notwithstanding particular laws.' On the same date he was assured it had. [In that connexion our readers will remember the difference between 'laws' on the one hand, and 'indults,' 'vows,' and 'Religious rules and constitutions' on the other (Can. 1253).]

On the 24th April, 1918, the Bishop of Havana asked whether an indult granted to Cuba on 1st January, 1910, for ten years still remained in force. As we might expect from Canon 1253 (just cited), he was told that it did, and that no attention was to be paid to 'obligations' (mentioned in it but) abrogated by general law in virtue of Canon 1252—'sublatis obligationibus quae iure communi cessarunt vi canonis 1252.' [This clause may, perhaps, be quoted as an additional justification for views already expressed on certain Irish practices.<sup>1</sup>]

*Funerals.*—In Southern Italy there has been a fairly widespread custom of dispensing with funeral rites in church, and of allowing the burial to take place after some short ceremonies at the home of the deceased. If the Bishop refused permission, the people and clergy felt themselves aggrieved—he showed, they thought, no consideration for their position and dignity. So the Bishop of Sessa was prompted to ask whether 'resentment or discontent on the part of the faithful and clergy was a 'grave cause'—as understood in Canon 1215—sufficient to excuse from transferring the remains from the place where they are found to the church where the funeral rites may be performed.' The reply (24th

<sup>1</sup> I. E. RECORD, November, 1917, Fifth Series, vol. x. pp. 359-63.



November, 1918) was, 'No: and the custom, as described by the Ordinary of Sessa, is to be reprobated.<sup>1</sup>' [Which means that the custom 'is to be abolished as a corruption of law, even if it be immemorial, and is not to be allowed to revive in future' (Can. 5).]

At first sight this might seem to have a close bearing on our circumstances in Ireland. In the case of many of our funerals the remains are not brought to the church. But,

1°. In the majority of such cases the distance is a morally insurmountable obstacle. It is a much more serious thing than the 'resentment' of the Southern Italians, and constitutes a 'grave cause' of the kind provided for in Canon 1215 itself.

2°. The 'reprobation' of the reply falls only on 'the custom as described by the Ordinary.' Our own description, given above, is based on a communication sent by the same Ordinary to the *Monitore Ecclesiastico* <sup>2</sup>; but whether it gives the full facts, as disclosed to the Commission, we cannot say. One thing, however, is clear. The Commission formulates no general principle; the case was special and abnormal; and extension of the condemnation—even in spirit—to other instances would be quite unwarranted.

3°. In the case of milder, but long-standing, customs like our own, even though they *are* opposed to Canon 1215, we must not forget another section of Canon 5—'other (non-reprobated) customs that are centennial and immemorial may be tolerated, if the Ordinaries, in view of the circumstances of places and persons, think they cannot be prudently abolished.'

At the same time it is well to remember that, when there is *no* grave excusing cause,<sup>3</sup> and no custom that deserves specially reverent treatment, the practice of not bringing the remains to the church may, any day and in any country, fall under the same 'reprobation' as overtook the custom of the Southern Italians.

*Mass in Private Houses.*—The following query and reply are borrowed from the *Monitore Ecclesiastico* <sup>4</sup>:

Utrum facultas celebrandi missam in domo privata sit ab Ordinario, ad normam canonis 822, § 4, interpretanda restrictiva.

R. *Affirmative.*

Some time ago we expressed a hope that 'the protracted development on the question of saying Mass in private houses has reached a definite conclusion in the re-enactment [by the Code] of the Decree of 1912.'<sup>5</sup> Apparently some people are thinking of it still. So far as the general

<sup>1</sup> 'Negative, et consuetudinem prout exponitur ab Ordinario Suessano esse reprobendam.'

<sup>2</sup> June, 1919, p. 176.

<sup>3</sup> It will be felt by many that there is often in this country a grave special reason in *favour* of the law—the advantage of lessening the abuses liable to attend unduly protracted wakes (cf. Maynooth Statutes, nn. 513-14).

<sup>4</sup> *Ibid.* p. 175.

<sup>5</sup> I. E. RECORD, February, 1918, Fifth Series, vol. xi. p. 109.

law is concerned, the tendency for a considerable time past has been in the direction of greater liberty; and the obvious purpose of the query just quoted was to discover whether the law as it now stands (822) is to be interpreted in a generous sense (in accordance with the tendency) or strictly (as a curb on undue development). The answer shows that the liberal tendency has reached its limit. There may be, as the editor of the *Revue* suggests, a reference to the points of difference between the Decree of 1912 and the Code. But really the difference is so slight that it scarcely deserves mention. Of the five restrictions imposed on the Ordinary's power by the Code,<sup>1</sup> four are found in the Decree<sup>2</sup>; the fifth—that 'the case be outside the normal' (*in aliquo extraordinario casu*)—can be reasonably interpreted as adding very little to the other four.

As for the Irish law, the vague suggestion of rigour conveyed by the reply is more than counterbalanced by other considerations.<sup>3</sup>

*Dismissal of Religious Professed before the Code came into Operation.*—Canon 5 informs us that 'rights already acquired' are unaffected by the Code, unless expressly revoked. Now every new law affects the status of the particular persons for whom it is intended. And status is largely a matter of 'rights.' Are we to hold, then, that, since rights are unaffected, the status remains practically as before; in other words, that the individuals for whom the law was principally intended are to have the benefit of special exemption? Manifestly an absurdity. Not all 'rights' can hope to escape the influence of an unfriendly law. But which? From documents recently published,<sup>4</sup> a principle emerges. It is: 'Rights that depend exclusively on law are annulled by a new law to the contrary; those that depend rather on a definite fact in the past are unaffected.' A boy, for instance, fifteen years old on the 18th May, 1918, might validly get married on that date: a week later, he would require a dispensation (1067): what the law gave the law took away. A deacon, on the other hand, appointed to a parish on the same date, might remain in possession a week later—in spite of the new disqualifying law (453, § 1): his rights depended on the fact of his appointment, and remained untouched by the new legislation. The principle gives definite results in most cases, but not in all. That was felt, evidently, by the Ordinary who, on the 24th November, 1918 (as recorded in the *Monitore* \*), submitted the following query—'Whether Religious vows, taken before the promulgation of the Code, are to be governed, as regards dismissal of Religious and effects of such dismissal, by the old law in force before the Code?'

The answer is 'Yes.' Which means, in general, that the status of the professed members depends not so much on law as on the fact of their profession; and, in particular, that Canons 646–672 affect these members only in so far as they embody laws previously in existence.

<sup>1</sup> See the terms of Canon 822, § 4.

<sup>2</sup> For the text see I. E. RECORD, Feb., 1913, Fifth Series, vol. i. p. 204.

<sup>3</sup> See I. E. RECORD, Feb., 1918, Fifth Series, vol. xi. pp. 109–111.

<sup>4</sup> The more important sections, with short commentary, will be found in the *I. T. Quarterly*, October, 1919, 'Roman Documents.'

<sup>5</sup> June, 1919, p. 175.



*Attendance in Choir.*—Two replies on the subject—both dated 24th November, 1918, and intended for Rome and Iviza, respectively—deal with clerical arrangements unknown in this country. Though important in themselves, they are of no practical importance for us. So we omit them.

### ANOTHER ROMAN REPLY—ABSOLUTION OF EXTERN PENITENTS

Of the Roman replies recently sent to His Eminence Cardinal Logue,<sup>1</sup> the fourth falls within our department. It deals with the absolution of extern penitents.

In answer to several correspondents we had to discuss the problem in an earlier issue.<sup>2</sup> As the conclusion arrived at was the same as the official reply now given, we may be pardoned for confining ourselves to a brief résumé of previous remarks.

In pre-Code times there were three theories as to the source from which jurisdiction over *peregrini* was derived. Some—e.g., Lehmkuhl, Noldin, Gury—said it came from the extern Bishop; others—e.g., Aertnys—that it came from the Bishop of the confessor; a third class—e.g., St. Alphonsus and Génicot—that nothing less than delegation from the Pope would explain the facts. Combining these views with certain general principles, and passing on from theory to practice:—

1°. The majority of theologians admitted that the extern penitent could be absolved, unless the sin confessed was reserved in *both* dioceses;

2°. A small minority—including Noldin and Tanqueray—went further. They claimed that absolution might be given, even when the sin *was* reserved in both dioceses.

Against the second view the arguments seemed decisive: 1°, it was based on a false analogy between local law and local reservation: 2°, from what source would jurisdiction come? Not from either bishop, *ex hypothesi*: and, if from Rome, it would be restricted by the local reservations: 3°, the condemnation of the view was *implied* in the Decree of the Holy Office (13th July, 1916), which stated, among other things, that 'from sins reserved in any diocese, penitents may be absolved in another diocese in which the sins are *not* reserved.'

Had the Code modified that teaching? Apparently not. For, 1°, the words of the Decree and those of the Code were too much alike to justify the suggestion that they taught different principles: 2°, the Code subjects *peregrini* to the local Bishop to a greater extent than before: 3°, as regards sacramental absolution, especially, it states definitely (874, § 1) that jurisdiction comes from the local Bishop: 4°, in other canons (say 349 and 401) it clearly implies that the reservations of the local Bishop are decisive.

<sup>1</sup> For the text see below, p. 330.

<sup>2</sup> I. E. RECORD, April, 1919, Fifth Series, vol. xiii. pp. 324-31.

On that basis, and especially on the strength of Canon 874, we favoured the opinion :

1°, that the minority view would have to be discarded,

2°, that even the majority view was too liberal. The truth would seem to be that, according to the Code, local confessors were powerless when the sin was reserved in the diocese of confession—whether reserved in the penitent's diocese or not.

Certain objections were considered :

1°. The claim that, according to Canon 881, jurisdiction comes from the law itself, not from the local Bishop.

2°. The fact that Canon 900 guarantees freedom when the penitent has left 'the territory of the reserver.'

3°. A series of arguments in favour of the milder view, put forward in the little manual recently published by Father Arregui.

In reply to which, respectively, we suggested :

1°. That, even if that view of Canon 881 be correct, the Papal delegation must still be modified by the local reservations.

2°. That a penitent who confesses a sin reserved in *both* dioceses has not fulfilled the condition prescribed in Canon 900.

3°. That Father Arregui's arguments—to which we tried also to give direct replies—were well known to the Holy Office when it clearly suggested the opposite conclusion in its Decree of July, 1916.

We have no guarantee that all, or any, of our arguments are correct. They must be taken on their merits, if they have any. But for the conclusion arrived at—and that is the main concern for those engaged in missionary work—we have official confirmation in the reply of the Commission for interpreting the Code :

[Query] No. 4°. Is a *peregrinus* bound by the reservations of the place in which he is ?

[Reply] To No. 4°, Yes.<sup>1</sup>

The reservations imposed by the extern Bishop are not to be taken account of, 1°, because the penitent has left *that* Superior's territory (900), 2°, because the confessor's jurisdiction comes from his own Bishop. But those imposed by the local Bishop *must* be taken account of, 1°, because the penitent has *not* left *that* Superior's territory ; 2°, because, again, the confessor's jurisdiction comes from his own Bishop, 3°, because [we may now add] Rome has so decided.

So that, for the future, the rule for confessors is—Treat extern penitents exactly as you treat those of your own diocese.

M. J. O'DONNELL.

<sup>1</sup> See below, p. 330.



## CANON LAW

## SOME RECENT DECISIONS AND DECREES

WE desire to call attention to some Decisions and Decrees of the Holy See which have been recently published in the *Acta Apostolicae Sedis*.

## A.

*The nature of quasi-parishes or missions in certain dioceses after the promulgation of the Code of Canon Law.*

The new legislation on parishes and parish priests has attracted a considerable amount of attention. This has been especially the case in places like England, Scotland, and the United States, in which a hierarchy has long been in existence but in which hitherto there have been no canonically erected parishes. There has been considerable doubt in those countries as to the precise change which the Code effected in this department. That parishes should come into existence as the result of the new legislation was, we think, almost universally conceded. Whether, however, they did so automatically, as a result of the provisions of the Code itself; or whether, in addition, some action on the part of the Bishop was necessary for their establishment, was a point upon which agreement was by no means so general. The difficulty arose in connexion with the interpretation of Canon 216, which declared that the territory of every diocese should be divided into distinct territorial parts, to each of which should be assigned its own distinct church and people and its own special pastor; and that the parts of dioceses thus divided were parishes. The question at issue was whether the divisions of dioceses already in existence sufficed, or whether the Bishop should intervene, and, by a special decree, either ratify or modify these divisions.

In the May issue of the I. E. RECORD, in our first article on 'Parish Priests,' we gave expression to our opinion on this matter in the following terms:—

In countries in which a hierarchy was established, but in which there were no canonically erected parishes, this section, taken in conjunction with Canon 216, as we have already remarked, caused considerable excitement after the publication of the Code. In our opinion these canons did not convert *ipso facto* the existing divisions of territory into parishes; to effect this a special act on the part of the Bishops concerned was required. Nor was it necessary in the new erections to adopt the boundaries of the old divisions, or to change all the removable missions into removable parishes, and all the irremovable missions into irremovable parishes; in fact, if the spirit of the new legislation were followed, most of the new foundations would be irremovable.

An authoritative declaration on this point, and on one or two others in close connexion with it, has just been issued by the Consistorial

Congregation ; and, we may add, the paragraph just referred to is in full conformity with it. Those who wish to read the declaration in the original, will find it in the September issue of the *Acta Apostolicae Sedis*. We shall give a free rendering of its dispositive part :—

I. From Canon 216 of the Code of Canon Law, it is certain that the parts of dioceses as above, to which a special pastor for the care of souls is assigned, in future should be regarded as *parishes* and be called by that name ; the name of *quasi-parishes* and missions being reserved for the parts into which Vicariates and Prefectures are divided.

II. For the constitution of parishes a decree of the Ordinary is required, by which are determined the boundaries of the territory, the seat of the parish, and the endowment both for the upkeep of religious worship and for the maintenance of the priest ; it is not necessary, however, that the rector should be irremovable ; nay, more, if there are just causes, it can be declared in the decree of erection itself that he is movable, in accordance with Canons 1411, § 4, 454, § 3, and 1438.

III. But if the fact that the number of the faithful is small or fluctuating, or that a sufficient endowment is completely wanting, renders it inadvisable to erect certain churches into parishes ; such churches are to be regarded as subsidiary or auxiliary within the boundaries of some parish, in the territory of, and in dependence upon, which they will remain until they become fit to obtain the status of parishes themselves.

IV. In constituting the dowry of parishes that are to be erected, the regulations which are made in the Code, in Canons 1409, 1410, and 1415, § 3, should be kept in mind.

V. Furthermore, when canonical erections as above have taken place, the rector of the parish, whether parish priest or vicar oeconomie, is bound by the obligation of applying the Mass *pro populo* ; from this obligation rectors of auxiliary or subsidiary churches are exempt. But if, indeed, the obligation is found to be too severe, recourse should be had to the Holy See to have it lessened.

The first section of this declaration does not need any comment ; it is quite clear from the Code itself that the divisions of dioceses, even of those in which hitherto canonically erected parishes did not exist, are in future to be regarded as parishes, and to be called by that name : personally, we have never heard that point seriously questioned.

It is the second section that settles the main difficulty which arose in this connexion. It is clear from it that, in such countries as England, Scotland, and the United States, the existing divisions of dioceses did not become parishes automatically ; but that, in addition, a formal decree of erection on the part of the Ordinary was also required. Consequently, rectors of missions in these places did not become participators in the rights, nor subject to the obligations, of parish priests, until the Ordinary had intervened in this way. Once the necessity of the formal decree of erection is admitted, the other points touched upon in this section follow as a matter of course.

Before passing away from this section, it may be interesting to note



that the Congregation of the Council, in the early portion of the present year,<sup>1</sup> gave a decision in a particular case which seems to contradict the principle here put forward. In the diocese of Wratisslav, prior to the publication of the Code, in addition to parishes in the strict sense of the term, there were also, in places in which the Catholic population was very sparse, certain divisions of territory which were looked upon in the same light as stations or missions in missionary countries. It would seem, too, that the rectors of these divisions, just as rectors in missionary countries, were not considered to be bound by the obligation of the Mass *pro populo*. Much controversy seems to have arisen as to the position of affairs after the new legislation had made its appearance; and, hence, the Bishop submitted the whole matter to the Holy See for an authoritative decision. The Congregation of the Council, without any reference whatever to the need of a decree of erection, held that these divisions were parishes, and that their rectors were bound by the Mass *pro populo*. It may, indeed, have been that these divisions were really parishes before the Code was promulgated; and, of course, in that hypothesis there would be no contradiction between the two Congregations. It must be confessed, however, that the whole statement of the case seems to imply the contrary. We need scarcely say that, if the contradiction exists, in our opinion it is the Consistorial which has correctly interpreted Canon 216. Anyhow, it is the declaration of the Consistorial Congregation alone that has to be taken into consideration in England and similarly situated countries; the other decision binds merely in the diocese for which it was given.

In regard to the fourth section, it may be well to draw attention again to the fact that, in accordance with Canon 1410, either the certain and voluntary offerings of the faithful, or stole fees, or, of course, a combination of both, may constitute the endowment of a parish; and in most of the countries affected by this declaration, these are the principal sources from which endowment must be sought. In this connexion it may be remarked that it does not by any means follow from the erection of a parish that its pastor acquires a right to all the offerings of the faithful, whether made at the church doors, during Mass, or on other occasions, for his own personal maintenance. Sometimes it is the right of the donors themselves to determine the destination of these offerings; and, when such is the case, their intention should be strictly carried out. Sometimes, however, legislation requires offerings to be made on certain occasions, and specifies their purpose independently of the intention of the donors. Here, again, the terms of the law should be faithfully adhered to.<sup>2</sup> It is a matter for the Ordinaries, therefore, keeping these points in mind, to determine in the decrees of erection how far the offerings are to go towards the maintenance of the pastor.

<sup>1</sup> Vide *Acta Ap. Sedis*, February, 1910, p. 46.

<sup>2</sup> Cf. C. 1507, C. 1536, Const. Rom. Pontifices, Leonis XIII, 1881.

## B.

*Power to Bless Beads, Crosses, etc., and attach Indulgences to them.*

Another rather important question has also been settled quite recently by the Holy See. According to Canon 349, § 1, n. 1, Bishops have the privilege of blessing, by merely a sign of the cross, chaplets, rosary beads, crosses, medals, statues, and scapulars, and of attaching to them thereby all the indulgences usually granted by the Holy See. There was some uncertainty as to whether they could communicate this power to their priests. The doubt has been solved, at least partially, by a reply given to the Most Rev. Dr. Hanna, Archbishop of San Francisco. The Archbishop's query was to the following effect: 'Is it lawful for Bishops to communicate habitually to priests of their territory the power of blessing and indulgencing rosary beads, etc., of which there is question in Canon 349, § 1, n. 1, with the observance of all the rites prescribed by the Church?' The reply was in the negative.<sup>1</sup>

Although the power to grant indulgences is of a jurisdictional nature, still, prior to the publication of the Code, it was disputed whether the ordinary rules governing delegation were applicable to it or not. Many, indeed, maintained that they were; yet, not a few held that, without the permission of the Holy See, ecclesiastical superiors generally were incapable of conferring this power upon others.<sup>2</sup> The Code has adopted this latter view. Canon 913 states that 'Those who are inferior to the Roman Pontiff cannot commit to others the power of granting indulgences, unless this has been expressly conceded to them by the Holy See.' It is in this canon, we think, not in the fact that the power granted in Canon 348, § 1, n. 1, is a privilege, that we must seek for the reason of the decision just quoted. Jurisdictional power granted by the Holy See for ever, or for a long period, is a privilege; and yet, as a general rule, it may be subdelegated without any express concession to that effect.

The decision deals only with habitual communication or delegation; but from Canon 913 it is clear that delegation, even in a particular case, is likewise forbidden. From the decision, too, we can conclude only to unlawfulness of such delegation: *liceat* is the word employed. The word *nequeunt*, however, in Canon 913, makes it clear that the delegation would be also invalid.

## C.

*The Sacred Congregation of Religious orders certain books in religious institutes of women with Papal approval to be submitted to it for revision and correction.*

A couple of rather important pronouncements in regard to religious institutes of women have also made their appearance quite recently. In a decree published in the *Acta Apostolicæ Sedis* of last June, the Congregation of Religious ordered every religious institute and pious society

<sup>1</sup> Vide *Acta Ap. Sedis*, August, 1919, p. 332.

<sup>2</sup> Cf. Ojetti, *Synopsis*, n. 2304; Ferraris, *Bibliotheca, Indulgentia*, Art. ii. n. 12.



of women with Papal approval, to submit to it for revision and correction, within a period of one year from the promulgation of the Decree, all books containing customs and usages practised in the institute, and all prayers proper to it and recited in common by its members.

It will be remembered that the Code itself declares, in Canon 489, that the rules and constitutions of individual institutes which are opposed to the prescriptions of the new legislation are abrogated. A subsequent Decree of the Congregation of Religious required that rules and constitutions of all institutes with Papal approval should be revised, and should be submitted for approval to the Holy See on the occasion of the next quinquennial report.<sup>1</sup>

The differences between the two decrees are quite clear. The recent one is intended only for institutes of women, and has reference to customs and prayers; whereas the one issued last year embraces institutes of men also, and is concerned only with the constitutions. Again, whilst the latter requires the emendated constitutions to be submitted to the Congregation on the occasion of the next quinquennial report; the former specifies one year as the time within which customs and prayers proper to an institute have to be brought under the notice of the Roman authorities.

#### D.

##### *The Rites to be observed in the Profession of Nuns.*

In the August issue of the *Acta Apostolicae Sedis* there is a declaration regarding the rites to be observed in the religious profession of women. As, however, it does not affect sisters, its practical importance for this country is not nearly so great as that of the Decree with which we have just been dealing.

To understand the declaration, it is necessary to recall that the Decree *Perpenis*, published in 1902, extended to nuns the regulation, binding in strict Orders of men since 1857, in virtue of which it was required that simple triennial vows should precede the solemn profession. Though called triennial, the vows were such only in regard to the institute; for the members themselves they were perpetual. Hence it was that, in accordance with replies given subsequently to the publication of the *Perpenis*, the formula and ceremonies of profession gave expression to the idea of perpetuity, when these simple triennial vows were being taken. Now, in accordance with Canon 574, these simple triennial vows are temporary, not merely on the part of the institute, but also in regard to the individuals who make them; and, hence, of course, it would be quite incorrect to retain any formula or ceremony which would convey the notion that they were perpetual.

We are now in a position to understand the following query and the reply given to it by the Congregation for Religious:—

Are the resolutions of the S. C. of Bishops and Regulars of the 18th July, 1902, to I, and of the 15th January to I and II, in regard to the method to be observed in the simple and solemn profession of Nuns after

<sup>1</sup> *Acta Ap. Sedis*, July, 1918, p. 290.

the publication of the Decree *Perpensis*, of the 2nd May, 1902, still in force after the introduction, by the Code of Canon Law, of profession of temporary vows, which should precede solemn vows.

The Sacred Congregation, after mature consideration of all the circumstances, deemed that the reply should be: *In the negative and ad mentem*. 'The intention is that all the rites and ceremonies which have reference to perpetuity of state should be reserved to the solemn profession; as regards the temporary profession, it is sufficient that, in conformity with Canon 577, § 1, n. 6, it be received by the legitimate superior according to the constitutions, either personally or through another.'

### E.

The present issue of the I. E. RECORD contains four replies of the Pontifical Commission for the interpretation of the Code of Canon Law, given to queries submitted by His Eminence Cardinal Logue.<sup>1</sup>

I. The first query asks, 'who is the "proper" Bishop for the ordination of those who have no domicile'; and the reply is that 'it is the Bishop of the place in which the ordination takes place, provided, however, the person to be ordained previously acquires a domicile and takes an oath, in accordance with Canon 956.' This, it must be confessed, is a rather strange reply. If a person has acquired a domicile, it is clear that he is no longer in the category of those who have no domicile. Whilst the query seeks light on the position of candidates for Orders who are without a domicile, the reply deals merely with those who at the moment of ordination have already acquired one. The possibility of candidates for Orders being without a domicile at the moment when it becomes necessary to ordain them is evident from the very notion of domicile itself; that in actual fact cases of this kind are sometimes met with, the superiors of our ecclesiastical seminaries can amply testify.

The words in the reply, *Prout dubium exponitur*, lead one to think that the Commission did not really grasp the difficulty which presents itself in a country like this in which there is one National College for the Irish Church, in addition to several foreign missionary Colleges. One naturally tries to envisage, then, the circumstances which the Commission had in view when it gave this reply. It seems to us that it was thinking of a system in which each diocese has its own seminary for the education and ordination, of all the priests required for its service; and that it further implies that students, by residence in such a seminary with a view to ordination, can thereby acquire a domicile. But even this explanation is not without its difficulties. It is agreed that a conditional intention to remain permanently in a place is not sufficient for the acquisition of a domicile, if the condition is suspensive. The classical example is that of the lady who takes up her residence in a place with a view to marriage, and who intends to remain there perpetually if the marriage is contracted. Even though it is morally certain that the marriage will be contracted, the lady does not acquire a domicile. There is an almost exact parallel between this case and that of a student who takes up residence in a diocese

<sup>1</sup> See below, p. 330.



with a view to ordination for its service. The territorial unit for the acquisition of a domicile in pre-Code days was the parish; and, moreover, there were many other titles in virtue of which a Bishop might become the competent minister of Orders. We can well understand, therefore, that this point was hitherto of very little practical importance. Notwithstanding this, the matter was actually submitted to the Congregation of the Council, and its decision was against the existence of the domicile.<sup>1</sup> One of the reasons put forward in the preliminary discussion was this defect in the intention which we have been discussing. We should like very much to see an official solution of the difficulty, and also a satisfactory answer to the original query.

II. The second query has reference to the incardination which results from ordination. According to Canon 112, § 2, a cleric, by the reception of first tonsure, is incardinated in the diocese for the service of which he is ordained. Canon 969, § 2, on the other hand, declares that a Bishop may ordain—ordination of course includes promotion to tonsure—a subject for the service of another diocese, but that afterwards excardination and incardination are necessary. Between these two prescriptions there is a contradiction, and we were inclined to think that the latter, being the more specific, should prevail. There are indications, moreover, in Canon 956, which lead to the same conclusion. The Commission, however, has decided in a contrary sense. According to the answer to the second query, a person who is ordained for the service of another diocese by his 'proper' Bishop, is incardinated in this other diocese, not in the diocese of his 'proper' Bishop. A rather curious anomaly will result from this decision. As far as we can see, the candidate for Orders in these circumstances need not take an oath to devote himself permanently to the service of the diocese for which he is ordained; whereas an oath of this nature is necessary when a Bishop promotes to Orders for the service of his own diocese, a subject who, though he has a domicile in the diocese, has not been born there.

III. The third query was put on the hypothesis that the candidate for Orders, in the circumstances mentioned in the preceding question, was not incardinated in the diocese for whose service he was ordained. As the hypothesis was not admitted, no answer was necessary.

IV. The reply to the fourth query declares that a *peregrinus* is bound by the reservations of the place in which he is. Before the publication of the Code, very many maintained that a *peregrinus* was bound by the reservations of the place in which he was, only when the same reservations existed in his own diocese. For this reason there was a tendency in some quarters to advocate the same view under the new discipline. Others went even a step further, and maintained that a *peregrinus* was bound by none of the reservations of the place in which he was. The view now authoritatively confirmed by this reply of the Pontifical Commission is the one which was advocated by the Theological Correspondent in the I. E. RECORD.<sup>2</sup> We, therefore, need not comment further on this decision.

<sup>1</sup> *Acta S. Sedis*, vol. xxxviii p. 775.

<sup>2</sup> See I. E. RECORD, April, 1919, Fifth Series, vol. xiii. pp. 324-31; also pp. 313-14 of this issue.

## WITHDRAWAL OF DELEGATED JURISDICTION

REV. DEAR SIR,—Can a Bishop validly withdraw delegated faculties to hear confessions without a just cause? In this connexion Father Arregui, in a footnote, makes the following statement:—‘*Revocatio sine justa causa jurisdictionis praevis examine concessae probabiliter est invalida: dicta enim concessio non tam favor ex beneplacito quam jus ex juridica sententia est; unde nequit ex injusto beneplacito cessare.*’ In support of this view he also makes appeal to the authority of Ferreres and of the authors cited by him. Do you think Arregui’s opinion is solidly probable?

INQUIRER.

A Bishop, in our opinion, can, without a just cause, validly withdraw delegated faculties, even though they have been given after examination. Canon 207 states that delegated jurisdiction ceases by withdrawal on the part of the person delegating, when the withdrawal is intimated to the delegate. As no distinction whatever is here made, it follows that the jurisdiction ceases, even though it has been granted after examination, and even though the withdrawal has been made without any cause. This, of course, will hold of all forms of jurisdiction, unless in any particular case some express exception is made; and in case of delegated faculties to hear confessions no such exception exists. In fact the contrary is pretty clearly implied in the section on Penance. Canon 877 requires that, as a general rule, jurisdiction to hear confessions should be granted only to those who by examination have demonstrated their fitness to receive it. Immediately afterwards, in Canon 880, you have the following regulation:—‘A Local Ordinary or a religious Superior should not withdraw or suspend jurisdiction or permission to hear confessions unless for a grave cause.’ Clearly, then, in accordance with the rule in Canon 11, on invalidating and merely prohibiting laws, the withdrawal or suspension is valid even without a just cause; and, considering especially the prescription in Canon 877, to which we have just referred, this must hold also of those who have received their faculties after examination.

Arregui’s reason for his deduction is not conclusive. An examination for faculties is not in the nature of a concursus; there is no contract, express or implied, that jurisdiction will be granted if the examination is successfully passed; and, consequently, its concession will remain a favour, not a strict right. The object of a faculty examination is to determine whether the candidate is worthy to receive jurisdiction; but worthiness and strict right are two totally different things.

The reason given by Ferreres is the same. The authors cited by him, Lugo, etc., gave expression to this view in regard to approbation, not in regard to jurisdiction. Thus the pertinent passage in De Lugo is the following: ‘Whence it is sufficiently probable that such withdrawal without cause of approbation already previously granted in an unlimited way, is not valid.’<sup>1</sup> As is well known, before the publication of the Code,

<sup>1</sup> *De Poen. Disp.* xxi, sec. 3, n. 64: ‘Unde satis probabile est, revocationem talem sine causa approbationis jam prius sine limitatione collatae, non esse validam.’



the general teaching was that in many cases, in addition to jurisdiction, the minister also required approbation to validly hear confessions. In certain cases the approbation came from a Local Ordinary and the jurisdiction from a Regular Superior; and, hence, the point in the discussion of Lugo and the others. To transfer, however, their teaching on approbation to jurisdiction is manifestly unjustifiable.

We think, therefore, that Arregui's opinion has really no solid foundation.

J. KINANE.

## LITURGY

### PRAYERS AFTER LOW MASS—THE OBLIGATION AND MANNER OF RECITING THEM. THE EJACULATION TO THE SACRED HEART

#### I

REV. DEAR SIR,—I have two Masses each Sunday. The first is an early one, about four miles away, with confessions previously, and a sermon, and frequently Benediction; the second is in the parochial church at 11.30, at which another priest preaches. The sermons at the latter are seldom less than forty minutes in length. Am I justified in omitting all the English Prayers after Mass?

PERPLEXED.

#### II

REV. DEAR SIR,—I would like to have your opinion on the following points:—

1. The Prayers to be recited after Low Mass should be recited by the priest 'alternatim cum populo.' Can this, by any stretch of imagination, mean that these Prayers are to be recited as indicated in the enclosed leaflet? Should, as therein directed, the congregation alone recite the 'Hail, Holy Queen,' while the priest alone recites 'O God our refuge,' and the congregation alone, 'Holy Michael'?

2. With regard to the ejaculation to the Sacred Heart, which is the correct form, 'O Sacred Heart of Jesus,' or 'Most Sacred Heart of Jesus'?

BREFFNEY.

I. According to a decree<sup>1</sup> of the Congregation of Rites (issued June 20, 1913) the Prayers prescribed by Leo XIII to be said after a Low Mass may be omitted when the Mass is celebrated (a) *cum aliqua solemnitate*; (b) when the Mass is followed immediately by a sacred function or some pious exercise. The editor of the *Ephemerides Liturgicæ*,<sup>2</sup> commenting on the decree, infers that the first condition is verified if the Mass said is not strictly a private Mass—'cum ipsa haud presso sensu privata legatur.' Consequently, the prayers need not be said 'in missa parochiali vel communitatis in die festo vel cum celebrans missam dicit pro aliqua consociatione,'<sup>3</sup> etc. The second condition is verified if a

<sup>1</sup> *Acta Ap. Sedis*, v. p. 311.

<sup>2</sup> Dec., 1913, p. 727.

<sup>3</sup> *Ibid.*

sacred function or pious exercise takes place immediately after the Mass '*quin celebrans ab Altari recedat.*' A sacred function of the kind contemplated is undoubtedly Benediction of the Most Holy Sacrament.<sup>1</sup>

With these premises our correspondent should be able to resolve his doubts. He may omit the Prayers after the first Mass if it is followed immediately by Benediction. This implies that while the altar is being prepared for the function he remains in the sanctuary and effects therein the prescribed change of vestments. Otherwise, it could hardly be said to follow '*immediate et rite.*' The earliness of the hour, the distance from the church, the confessions and sermons, do not materially affect the question. If the Mass at 11.30 a.m. is the principal parochial Mass, he may safely rely on the interpretation of the decree given by the *Ephemerides Liturgicae*, and omit the Prayers. In each of those cases, however, it is well to note that he is free to say the Prayers and gain the indulgence attached, as is clear from the words of the query: '*eique applicari valeant praeata decreta quoad preces . . . omittendas.*'

II. 1. In a decree of the Congregation of Rites (August 20, 1884) it is prescribed that the Prayers be said '*alternatim cum populo.*' The same was virtually contained in the original decree *Urbis et Orbis* (January 6, 1884),<sup>2</sup> making the Prayers obligatory throughout the Church. The intention of the Pope was to get the priest and people to join in public prayers for the necessities of the Church: '*Ut quod Christianae reipublicae in commune expedit, id communi prece populus Christianus a Deo contendat, auctoque supplicantium numero, divinae beneficia misericordiae facilius assignatur.*' And with this end in view permission was afterwards granted to have the Prayers recited in the vernacular.<sup>3</sup> To avail of the privilege, however, the vernacular version should be a faithful one and be approved by the Ordinary. Now, this is the first fault we have to find with the enclosed leaflet, viz., that it is unauthorized, lacks the *Imprimatur* of the Ordinary of the diocese wherein it was published, and cannot be licitly used for the liturgical recitation of the Prayers.

Again, we think that the directions given therein for the recitation of the Prayers are neither justified nor allowable. We can find no justification in any authority for this extension of the words '*alternatim cum populo,*' and we believe the almost universal practice of the Church is against it. There are some of the Prayers that naturally lend themselves to this manner of recitation, viz., the 'Hail Mary' and the 'Versicle' and 'Response'—one part is the completion of the other—but the remaining three Prayers are distinct and separate, and, in our opinion, the priest is not fulfilling his obligation if he does

<sup>1</sup> Ibid. p. 726.

<sup>2</sup> The later decrees, interpreted as granting exemption from the Prayers at 'the principal parochial Mass,' seems hardly in keeping with the spirit of the original decree. *A priori* one would have thought it the most suitable occasion for the recitation of the Prayers.

<sup>3</sup> S.R.C., March 5, 1904. This permission was granted to Ireland by an Indult of the Congregation de Prop. Fide, on June 22, 1884.



not recite the three of them. By all means let the people join in with him, as far as they know the Prayers, but that does not lessen his obligation of saying them in full. The *Ephemerides Liturgicae*<sup>1</sup> summing up the decree in question, says: 'Praefatae preces recitandae sunt a Sacerdote alternatim cum populo; versiculus vero et Oratio *Deus refugium* cum sua additione dicantur a sacerdote flexis genibus prout *Ave Maria* et *Salve Regina*.'

2. We think the ejaculation is admissible in either form, but we prefer the rendering 'O Sacred Heart of Jesus.' The Latin has the superlative—'Cor Jesu Sacratissimum'—but the simple adjective 'Sacred' is the equivalent of it, and is more in accordance with English idiom.

### THE REGILDING OF A CHALICE AND THE NEW CODE OF CANON LAW

REV. DEAR SIR,—There is a chalice here which was regilt (and desecrated?) some time before the regulations concerning the matter in the Codex. We do not use it. Does it need reconsecration?

BELFIELD.

Until the promulgation of the New Code, it was generally held<sup>2</sup> that the regilding of a chalice necessitated its reconsecration before being used again in the celebration of Mass. The following decree<sup>3</sup> of the Congregation of Rites left no doubt about the matter: 'Ad Dubium—Num Calix et Patena suam amittant consecrationem per novam deaurationem et sic indigeant nova consecratione?' The reply was: 'Affirmative; amittere nimirum, et indigere nova consecratione, juxta exposita.'

This teaching has been set aside by the New Code. Canon 1305, § 2, reads: 'Calix et patena non amittunt consecrationem ob consumptionem vel renovationem auraturae, salva tamen, priore in casu, gravi obligatione rursum ea inaurandi.' Doubtless, it was held previously by liturgists that the chalice did not lose its consecration by the mere wearing away of the gilt (though the grave obligation of having it renewed was not quite so definite), but the necessity of reconsecration when the chalice is regilt can no longer be maintained.

The chalice described by our correspondent manifestly needs reconsecration if it is intended for further use in the Holy Sacrifice. It had lost its consecration before the promulgation of the New Code, and there is no regulation as far as we know, sanctioning the use of a desecrated chalice.

<sup>1</sup> Dec., 1913, p. 726.

<sup>2</sup> See Van der Stappen, tom. iii., p. 101.

<sup>3</sup> Decr. 2889.

THE RECITATION OF THE PSALMS 'MISERERE' OR  
'CONFITEMINI' AT THE 'ASPERGES'

REV. DEAR SIR,—Will you kindly tell me the nature of the obligation to recite in full the Psalm '*Miserere*' (or '*Confitemini*,' in Paschal Time) at the '*Asperges*'? The '*Miserere*' Psalm is difficult to get through without a book, and the '*Confitemini*' still more so. It seems a hardship to be obliged to do it.

PASTOR.

We sympathize with our correspondent, though the actual wording of the rubric of the Missal seems to point the other way. The choir sings the antiphon '*Asperges*' (or '*Vidi Aquam*') with the first verse of the '*Miserere*' (or '*Confitemini*') followed by the *Gloria Patri* and a repetition of the antiphon, and the priest is directed to recite the antiphon and the Psalm '*Miserere*' (or '*Confitemini*') during the course of the Aspersion. The new edition of Martinucci (edited by B. M. Menghini, Master of Apostolic Ceremonies at Rome) qualifies the direction of the rubric with the words, '*si memoria teneret*,' and significantly adds: '*Nos tamen putamus, tot versiculos sufficere, quot sunt necessarii tempore quo aspersio vel cantus perdurat.*'<sup>1</sup> Such, presumably, being the teaching and practice at Rome, we believe 'Pastor' will be quite safe in following it. Other Liturgical authorities state that the priest will fulfil his obligation by reciting the first verse of the Psalm with the '*Gloria Patri*,' as is prescribed in the Roman Ritual. Müller<sup>2</sup> quotes Pavone and Felise as favouring this view, and they are liturgists of recognized authority.

COLOURED UNDERGROUND ON THE SLEEVES OF ALBS

REV. DEAR SIR,—When lace Albs are used we often notice, especially on the sleeves, an underground of black or red material for the purpose perhaps of stiffening the lace or crochet. Can you tell me if this is permissible, or if there is any decision forbidding it, or if a custom in any church makes it allowable, and if there is any difference between black or red? A reply in the I. E. RECORD at your convenience will oblige.

SACERDOS.

There are two decisions of the Congregation of Rites bearing precisely on the points raised by 'Sacerdos.' The first, dated July 12, 1892, is in reply to the question: '*Num tolerari potest ut fundus coloratus supponatur textili denticulato vel operi phrygio in manicis vel fimbriis nec non in manicis rochetti?*' And the answer is: '*Quoad manicas et fimbrias Albarum affirmative; quoad manicas autem in rochetti, fundum esse posse coloris vestis talaris relativae dignitatis.*'<sup>3</sup>

The second, dated November 24, 1899, recalls and confirms the former decision and is as follows: '*An toleranda consuetudo utendi fundo caerulei coloris sub velo translucenti in fimbriis et manicis Albarum?*' And the reply: '*Affirmative: et detur decretum 12 July, 1892.*'<sup>4</sup>

The coloured underground on the sleeves of Albs is fairly common

<sup>1</sup> Vol. ii. Pars Prima, p. 68.

<sup>2</sup> Müller, *Handbook of Ceremonies*, 1918, p. 108.

<sup>3</sup> Decr. 3780.

<sup>4</sup> Decr. 4048.



in this country, and most probably the custom arose in the way suggested by our correspondent. The introduction of lace or crochet to ornament the cuffs and fringes of the Alb called for the further innovation of a coloured lining or underground, either for the purpose of stiffening, or preventing the black soutane from showing through the transparent embroidery. The innovation is decidedly against the best traditions of the origin and significance of the Alb, and it is well to note that the Sacred Congregation merely *tolerates* the custom where it already exists. The Alb is the 'white and spotless garment' of the priest, the purity of its colour symbolizing newness of life. Liturgical writers, like Van der Stappen, express their surprise that the Sacred Congregation even tolerated such a custom, and seem at a difficulty to find words strong enough to condemn the practice. 'Vix credibilis nobis videtur,' says Van der Stappen,<sup>1</sup> 'talis simulatio vestis Cardinalitiae dignitatis,' and again he adds: 'sperandum quod nullus ex nostris Sacerdotibus unquam audeat ejus usu fidelium animos in admirationem inducere.'<sup>2</sup> As to the motive suggested herein—'of exciting the admiration of the faithful'—we do not find ourselves in agreement with the writer, and we think such condemnation somewhat in excess of the abuse; more especially as we find medieval inventories showing blue, red, and black Albs and Albs made in silk, velvet, and cloth of gold.

If we are to judge by the wording of the decrees there does not seem to be any distinction as to the use of black or red,<sup>3</sup> but we think liturgical usage is more strictly adhered to when the colour corresponds to that of the ceremonial dress which the individual is entitled to wear. In the case of the rochette we see that the decree expressly emphasizes the point.

#### CUSHIONS ON THE ALTAR STEPS DURING BENEDICTION— AN OVERSIGHT

We are indebted to a correspondent for kindly calling attention to a decree which had escaped the notice of the contributor in his discussion of this subject in a recent number of the I. E. RECORD:—

REV. DEAR SIR,—In the May number of the I. E. RECORD, received a few days ago, I find, on page 424, that you state: 'We are not aware of any law forbidding the practice' of placing cushions on the altar steps whereon the ministers may kneel during the Benediction Service. You may be glad to have your attention called to the fact that the Master of Ceremonies of Westminster Cathedral submitted a number of Dubia to the Sacred Congregation of Rites, amongst which is the following: 'X. Utrum cuilibet celebranti, an soli Episcopo vel Praelato, liceat genuflexo manere super pulvinari in infimo gradu altaris?'

The reply (dated May 27, 1911): 'Ad X.—Negative ad primam partem; affirmative ad secundam.'<sup>4</sup> (*Acta Ap. Sedis*, vol. iii. p. 280.)—B.

M. EATON.

<sup>1</sup> *Sac. Lit.*, tom. iii, p. 154.

<sup>2</sup> *Ibid.* p. 155.

<sup>3</sup> Van der Stappen says: 'toleratur suppositus color quicumque, imo color non liturgicus nempe caeruleus.' *Ibid.* p. 155.

<sup>4</sup> *Decr.* 4268.

# DOCUMENTS

## STATEMENT OF THE IRISH BISHOPS ADOPTED AT THE JUNE MEETING, 1919

A General Meeting of the Irish Hierarchy was held in St. Patrick's College, Maynooth, on Tuesday, June 24th.

His Eminence Cardinal Logue, Archbishop of Armagh, presided; and the following Prelates also attended :—

Most Rev. Dr. Hart, Archbishop of Cashel.  
Most Rev. Dr. Gilmartin, Archbishop of Tuam.  
Most Rev. Dr. Brownrigg, Bishop of Ossory.  
Most Rev. Dr. O'Donnell, Bishop of Raphoe.  
Most Rev. Dr. Browne, Bishop of Cloyne.  
Most Rev. Dr. Hoare, Bishop of Ardagh.  
Most Rev. Dr. Foley, Bishop of Kildare.  
Most Rev. Dr. Kelly, Bishop of Ross.  
Most Rev. Dr. O'Dea, Bishop of Galway.  
Most Rev. Dr. Fogarty, Bishop of Killaloe.  
Most Rev. Dr. Gaughran, Bishop of Meath.  
Most Rev. Dr. McHugh, Bishop of Derry.  
Most Rev. Dr. McKenna, Bishop of Clogher.  
Most Rev. Dr. Finnegan, Bishop of Kilmore.  
Most Rev. Dr. Morrisroe, Bishop of Achonry.  
Most Rev. Dr. Naughton, Bishop of Killala.  
Most Rev. Dr. Coyne, Bishop of Elphin.  
Most Rev. Dr. Cohalan, Bishop of Cork.  
Most Rev. Dr. MacRory, Bishop of Down and Connor.  
Most Rev. Dr. Hackett, Bishop of Waterford.  
Most Rev. Dr. Mulhern, Bishop of Dromore.  
Most Rev. Dr. O'Sullivan, Bishop of Kerry.  
Most Rev. Dr. Codd, Bishop of Ferns.  
Most Rev. Dr. Hallinan, Bishop of Limerick.  
Most Rev. Dr. Donnelly, Bishop of Canea.

The following statement was unanimously adopted :—

'No body of Irishmen can be more profoundly interested than the Irish Bishops in any scheme that would satisfy the legitimate aspirations of Ireland and bring peace and contentment to her people. The existing method of Government cannot last. It substitutes government by constraint with all its evils, for government by consent with all its blessings.

'At this fateful stage in the history of the human family, Congress in the United States of America, where our people always received a warm



welcome, and soon learned to appreciate the advantages of the liberty denied to them at home, finds an unredressed wrong in Ireland that calls to it to speak out in the hearing of the world.

‘As for us, we have the evils of military rule exhibited at our doors. In this ancient, civilizing Nation the people are not permitted to rule themselves through men of their own choice. The work is done for them by some stranger without any knowledge of the country.

‘It is the rule of the sword, utterly unsuited to a civilized nation, and supremely provocative of disorder and chronic rebellion. The acts of violence, which we have to deplore, and they are few, spring from this cause, and from this cause alone. For mere trifles, for what in any free country would be within the rights of all men, Irish people have been sent to gaol under savage sentences.

‘Moreover, at the present time an enormous sum is raised here annually by over-taxation without any attempt being made, beyond empty promises, to promote suitable schemes of reconstruction and development in Ireland. Money is being poured out as water across the Channel. But if we ask back a little of the huge overcharge paid out of this country, to put life into our starved systems of education, the cry comes from the Castle that the remedy is to add to the rates.

‘Every day the air is charged with rumours about unsettling such parts of the public administration as, after years of agitation, have been brought somewhat into harmony with popular wishes; and our rulers latterly have been engaged in the apparently congenial task of transferring both the powers that were exercised by an unrepresentative authority and those that were to be entrusted to a representative Irish body, from the Capital of Ireland to the Capital of England.

‘In the interests of peace and order, of morality and of nationality, this aggressive domination should stop once for all. So long as it lasts, our faithful people should not allow any provocation to move them to overstep the law of God. They have an inspiring example to guide them. When Belgium lay prostrate under the heel of oppression, the Belgians, in like trials, listened to the counsels of Cardinal Mercier, and they have their reward. It shall be so, please God, with our people also.

‘Ireland is a distinct and ancient Nation, and it is vain to hope that things will go well for Ireland or for England until Ireland’s rights are duly recognized. She is fully entitled to a government that will be the free choice of all her people. Her right is to be the mistress of her own destiny. With the deepest affection for all her inhabitants of every persuasion, and in pursuance of the duties of our high trust in the interests of peace and religion, we desire to state with all the earnestness we can command that now is the time for doing justice to Ireland as a Nation.

‘With that feeling in our minds we cannot conclude this statement of our intense sympathy with our people without declaring our profound gratitude for the priceless service to Ireland and to civilization rendered by the Senate, the House of Representatives, the Hierarchy, clergy and people of every denomination in America, in so nobly espousing the cause of Ireland at this turning point in her history.

'In response to an appeal made on their behalf by the Holy Father, we think it our duty to commend to the charity of our people the needs of our suffering fellow-Catholics in Palestine and Syria. Owing to the war large numbers of them have been reduced to a state of extreme want, so much so, that many have perished of famine, and the survivors are still in a most pitiable condition.

'Owing to the frequent calls made recently on our people we do not find ourselves in a position to order a general collection, but if charitably disposed persons are willing to come to their aid, contributions may be sent to the Bishop of each Diocese who will forward them to the proper quarter.'

**REPLIES TO QUERIES REGARDING ORDINATION, INCARDINATION, AND ABSOLUTION FROM RESERVATIONS, SUBMITTED BY HIS EMINENCE CARDINAL LOGUE**

(August 17, 1919)

COMMISSIONE PONTIFICIA

PER INTERPRETAZIONE

ROMA, 17 Augusti 1919.

DEL CODICE DI DIRITTO CANONICO.

*Eminentissime Princeps,*

Ad dubia proposita ab Eminentia Tua Rev<sup>m</sup>a, nempe:

1°. Quisnam sit Episcopus proprius pro ordinatione illorum, qui nullum domicilium habeant (Can. 956).

2°. Utrum ille qui ordinetur a proprio Episcopo servitio alius dioecesis incardinetur huic alii dioecesi juxta Canonem 111, § 2, an potius dioecesi proprii Episcopi juxta Canonem 969, § 2.

Et quatenus negative ad primam partem,

3°. Quonam tempore incardinari debeat dioecesi cujus servitio ordinetur.

4°. An peregrinus teneatur reservationibus loci in quo sit.

Em̃i Patres hujus Pontificiae Commissionis in plenario coetu diei 3 Augusti 1919 responderunt:

Ad 1<sup>um</sup>. Prout dubium exponitur est Episcopus loci in quo fit ordinatio, modo tamen ordinandus praevis acquirat domicilium cum juramento ad normam Canonis 956.

Ad 2<sup>um</sup>. Affirmative ad primam partem; negative ad secundam.

Ad 3<sup>um</sup>. Provisum in responsione ad 2<sup>um</sup>.

Ad 4<sup>um</sup>. Affirmative.

Quae dum Eminentiae Tuae Rev<sup>m</sup>ae nota facio, manus Em̃itiae Tuae Rev<sup>m</sup>ae reverenter deosculor, meque profiteor,

humillimū et addictimū famulum,

P. CARD. GASPARRI.

ALOISIUS SINCERUS, *Sec̃rius*.

Em̃io Principi

MICHAELI CARDINALI LOGUE,

Archiepiscopo Armacano.



APOSTOLIC LETTER TO THE RECTOR AND DOCTORS OF  
THE UNIVERSITY OF LOUVAIN

(July 7, 1919)

AD R. P. D. PAULINUM LADEUZE, RECTOREM, ITEMQUE AD DOCTORES  
DECURIALES UNIVERSITATIS LOVANIENSIS: DE HAC IPSA QUAM-  
PRIMUM IN PRISTINUM RESTITUENDA

Dilecti filii, salutem et apostolicam benedictionem.—Quamquam, quoad luctuosissimum bellum tenuit, in cuius quidem initio Pontificatum suscepimus, non licuit vobis, propter exitium patriae vestrique cladem Athenaei, communibus Nos adire litteris, numquam dubium Nobis fuit, quin ita erga Nos animati essetis, quemadmodum filios deceret amantissimos. Nunc, legentes vestram epistolam, mirifice delectati sumus illa pietatis et obsequii in Nos et hanc Apostolicam Sedem significatione pulcherrima; quae scilicet eo Nobis accidit iucundior, quo acrius contendisse seimus improbos homines, ut vos a Nobis abalienarent. Etenim, cum, doloribus omnium tamquam Nostris affecti, quantum erat in Nobis daremus operam ut tantorum malorum finis approperaret, intereaque miserias omne genus levare niteremur, illud Nostram augebat aegritudinem, non paucos esse qui quaevis vel consilia vel conata vel coepta Nostra maculis odiosarum suspicionum aspergerent, aut etiam indigne criminarentur.

Itaque peropportune affirmatis: in acerrima contentione belli, quae tantam usquequaque animorum offensionem coniunctam haberet, Nos ex Nostra ipsa parentis communis conscientia, cum plurimi utrobique essent Ecclesiae filii, eam debuisse agendi rationem sequi ut neutri parti studere videremur, eaque re, nullis iure suspecti, omnibus prodesse possemus; cum autem hanc rationis aequalitatem adhiberemus ad omnes, singulari tamen curae Nobis fuisse Belgium, atque illud ante omnia in pristinum esse restituendum semper edixisse. Haec vero aperte profitentibus vobis, sperandum est simplices ac rudes bene multos quos malevolentissimae illae obtrectationes deceperint, tandem errorem deposituros. Vos autem cum de vestris rebus omnibus tum maxime de relevanda ista Universitate Nobis curae esse pro certo habeatis volumus: cuius quidem descripta a vobis species sane miserabilis vehementer Nos movet, contemplantes quam magnis acceptis vulneribus e bello emergat. Equidem intelligimus ad ornamentum et utilitatem Belgici nominis multum interesse ut istud doctrinarum nobilissimum domicilium celerime revirescat: quam ad rem et iam contulimus aliquid, ut ipsi gratis animis commemoratis, neque posthac desiderari patiemur, quicquid Nobis fuerit facultatis. Ceterum Belgii laborantis causam, quae eadem Nostra est, Deo vehementer commendamus, precamurque ut omnem lacrimam ab oculis vestris sua benignitate abstergat. Divinorum auspiciem munerum praecipuaeque Nostrae benevolentiae testem, apostolicam benedictionem vobis, dilecti filii, vestrisque alumni universis amantissime impertimus.

Datum Romae apud sanctum Petrum, die VII iulii MCMXIX, Pontificatus Nostri anno quinto.

BENEDICTUS PP. XV.

## DECLARATION REGARDING THE ERECTION AND CONSTITUTION OF QUASI-PARISHES OR MISSIONS OF CERTAIN DIOCESES IN ACCORDANCE WITH THE NEW CODE

(August 1, 1919)

ACTA SS. CONGREGATIONUM  
SACRA CONGREGATIO CONSISTORIALIS  
DECLARATIOCIRCA NATURAM QUASI-PAROECIARUM VEL MISSIONUM DIOCESUM  
QUARUNDAM POST CODICIS IURIS CANONICI PROMULGATIONEM

Ex dioecesibus, quae, ante Constitutionem *Sapienti consilio*, iurisdictioni S. C. de Propaganda Fide subiciebantur, postea vero in ius commune traductae sunt, nonnulla dubia fuerunt proposita circa naturam paroeciarum seu missionum, in quas eadem dioeceses partiuntur et circa iura atque officia rectorum earundem.

Sacra autem haec Congregatio, auditis plerisque praedictarum diocesum Ordinariis ac re mature perpensa, haec in re censuit declaranda :

I. Ex Can. 216 Cod. I. C. indubium est, partes diocesum ut supra, quibus peculiaris rector pro animarum cura sit adsignatus, uti *paroecias* in posterum haberi atque eo nomine appellari debere ; reservata appellatione *quasi-paroeciarum* vel *missionum* partibus in quas, pro cura animarum, dividuntur Vicariatus apostolici et apostolicae Praefecturae.

II. Ad constituendas paroecias requiritur quidem Ordinarii decretum, per quod territorii fines, sedes paroecialis et dos tam pro cultu quam pro sacerdotis sustentatione determinentur ; necesse tamen non est inamovibilitatem rectori assignari ; quin imo, si iustae adsunt causae, *amovibilitas* in ipso creationis decreto declarari potest, iuxta canones 1411, § 4, 454, § 3, et 1438.

III. Quod si exiguus aut fluctuans fidelium numerus, vel absoluta congruae dotis carentia erectionem quarundam ecclesiarum in paroecias minime suadeant ; huiusmodi ecclesiae uti *subsidiariae* vel *capellaniae* habeantur intra fines alicuius paroeciae, cuius in ditione ac dependentia manebunt, donec paroecialitatem propriam assequi poterunt.

IV. In constituenda erigendarum paroeciarum dote prae oculis habeantur quae in Codice statuuntur, cann. 1409, 1410 et 1415, § 3.

V. Erectione porro, uti supra, canonice peracta, rector paroeciae, sive parochus, sive vicarius oeconomus obligatione tenentur applicandae Missae pro populo ; a qua eximuntur rectores ecclesiae subsidiariae vel capellaniae. Quod quidem onus si nimis grave reperiatur, ad Sanctam Sedem recurrendum erit pro opportuna reductione.

Romae, ex aedibus S. C. Consistorialis, die 1 augusti 1919.

✠ C. CARD. DE LAI, Ep. Sabinen. *Secretarius*.✠ V. SARDI, Archiep. Caesarien., *Adsector*.

L. ✠ S.



# THE RIGHT OF A VICAR-GENERAL TO PRECEDENCE IN A CATHEDRAL CHAPTER

(May 17, 1919)

[This decree was published in September, 1919]

SACRA CONGREGATIO CONCILII

CUNEEN. ET UTINEN.

PRAECEDENTIAE

17 maii 1919

SPECIES FACTI.—1. Quum ecclesiae cathedralis Cuneensis Capitulum sua statuta obtulisset Episcopo, ut hic eadem ad normam Codicis noviter dati reformaret, et Episcopus, alacriter operi incumbens, opportunas immutationes inducendas proposuisset, has omnes ultro libenterque Canonici acceptarunt, praeter unam illam quae Vicario Generali, ad normam can. 370, § 1, tribuit ‘praecedentiae ius super omnibus . . . dignitatibus et canonicis ecclesiae cathedralis, etiam in choro et actibus capitularibus, nisi clericus caractere episcopali fulgeat, et Vicarius Generalis eodem careat.’ Prior enim Parochus, prima Capituli in dicta cathedrali dignitas, de sui Episcopi venia, adversus hanc propositam statutorum modificationem recursum ad S. H. Congregationem interposuit, plura pro sui iuris possessione afferens, quibus innixus sequentis dubii resolutionem reverenter petiit, nimirum: *An Vicario Generali Cuneen. ius praecedendi competa super Priore Parocho ecclesiae cathedrali in casu.*

2. Dum praecedentis dubii disceptatio iam concludebatur, quaestio fere eadem excitata est in Capitulo Utinensi: siquidem, accedente ad chorum vestibibus canonicalibus induto Vicario Generali, noviter inter Canonicos cooptato, quidam e capitularibus existimarunt eidem competere praecedentiae ius super omnibus capitularibus, non exclusis dignitatibus, ad normam can. 370; ceteri ex adverso censuerunt hoc praecedentiae ius deberi Vicario Generale, dumtaxat si hic accedat habitu vicariali indutus, non vero si accedat indutus habitu canonicali.—Controversia ad Archiepiscopum delata, hic in scriptis respondit: ‘che dopo il Codice non era più il caso di ricorrere all’antica distinzione dei Canonisti, e che quindi il Vicario Generale, anche presentandosi in coro come semplice canonico, deve avere la precedenza, rimanendo inalterati gli altri diritti della prima dignità;’ sed capitularibus huic resolutioni non acquiescentibus, idem Archiepiscopus huic S. Congregationi solvendum remisit dubium: *An ius praecedentiae super omnibus dignitatibus et canonicis ecclesiae cathedralis spectet Vicario Generali in choro veste canonicali induto.*

ANIMADVERSIONES.—Contendit Prior Parochus Cuneensis per illatam in statuta modificationem laesa fuisse iura canonico Priori possessione supra centenaria quaesita, contra praescriptum can. 4. Etenim ex bulla erectionis Capituli Collegiati, d. 4 sept. 1703, ‘Prior caput ipsius Ecclesiae collegiatae exsistat, et curam ipsius Ecclesiae Collegiatae, choro’

capitulo, processionibus, et aliis actibus et functionibus . . . *iurisdictionem et praeeminentiam habeat* : idipsum constat ex bulla erectionis dioecesis, a. 1817, qua collegiata erecta quidem est in cathedrallem, sed servatis omnino antiquis dignitatibus cum eadem praeeminentia canonici Prioris : unde etiam in bulla provisionis hodierni canonici Prioris, a. 1889, dicitur Prior esse *prima dignitas post episcopalem*. Quae quum ita sint et quum can. 370 nullo modo revocet contraria privilegia, concludendum videtur, ad normam can. 4, nullam immutationem in casu, vel post Codicem, esse faciendam.

Attamen ab hac argumentatione non abest aequivocatio. Sane nemo contestatur Priori Parocho Cuneensi ius praesidendi coetibus capitularibus et retinendi in Capitulo primam dignitatem. Hoc quidem ius illi agnoscit allegata Bulla erectionis collegiatae (a. 1703) et conservat Bulla erectionis cathedralis (a. 1817) ; sed neque Codex huic iuri detrimentum aliquod affert, quum nihil definiat quoad ordinem et numerum dignitatum in Capitulis, ut liquet ex can. 393, 408. Quapropter sicuti ante Codicem ita postea perseverare dicenda est illa varietas circa numerum et ordinem dignitatum, quam iam suo tempore testabatur B. Raymundus in *Summa*, l. III, tit. 27, § 5 : ‘ hac de re fere quot sunt ecclesiae, tot sunt consuetudinum varietates ’ : cfr. etiam Conc. Trid. sess. XXV, cap. 6, *de ref.* Ita e.g. quaedam Capitula unam habent dignitatem, quaedam duas, quaedam etiam septem ; pariterque v.g. *decani* dignitas quae in Hispania est prima in Bavaria est secunda ; *Archidiaconus* in Gallia prima dignitas in Austria quandoque tertia recensetur. Nihil igitur obstat ex parte Codicis quominus Prior Parochus in Cathed. Cuneensi prima dignitas habeatur.

Ab hac vero quaestione de *interna* constitutione cuiusque Capituli, omnino independens est quaestio de iure praecedentiae definiendo inter personas sive physicas sive morales. Norma seu lex ad rem plane est *mutabilis*, ideoque per eius mutationem non tolluntur vera iura quaesita, licet de facto fieri possit ut qui antea praecedentiam non habebat, postea habeat, et vicissim. Quamobrem frustra adversus effectus mutatae legis provocatur ad praescriptum can. 4 de iure quaesito non tollendo.

Haec ut plenius intelligantur duo considerata sunt : illud primum quod iura quaesita spectantur in *personis* individuís, concretis, sive physicae sint sive morales : e contrario praecedentia statuitur inter *munera*, officia, qualitates, in abstracto (v. gr. antianitas, ordo sacerdotalis, etc.). Itaque si lex mutat ordinem praecedentiae inter diversa *munera*, non ideo tollit iura quaesita personis eadem munera obtinentibus.

Praeterea, can. 4 de non sublatís per Codicem iuribus quaesitis, in eo habet fundamentum, quod lex, per se, non agit retrorsum, seu non habet vim retroactivam ut dici solet, quum ‘ respiciat futura, non praeterita ’ prouti habet can. 10. Id tamen non significat generatim legem non posse in futurum suppressere ius quod quis habet dum illa promulgatur, sed tantum non posse eam tollere in futurum ius quod quis, dum lex promulgatur, habet *dependentem a facto praeterito*, dum bene potest tale ius tollere in futurum, si sit *independens* ab aliquo facto praeterito. Ita v. g. *diaconus* qui ante Codicem accepit collationem paroe-



ciae, habet ex facto praeterito collationis ius quaesitum in paroeciam : quamobrem lex can. 453 exigens ad officium parochi *sacerdotium* et auferens diaconis capacitatem ad tale officium, profecto nequit auferre tali diacono capacitatem : eo ipso quia nequit agere retrorsum, nequit ius quaesitum tollere, dum ageret retrorsum tollereturque ius quaesitum si auferre praetenderet capacitatem dependentem omnino a facto praeterito. E contrario vir constitutus in xv aetatis anno in vigilia Pentecostes anni 1918 habilis erat ad contrahendum matrimonium, quam habilitatem sustulit profecto insequenti die Codicis can. 1067 exigens xvi aetatis annum. Agebatur enim de supprimendo in futurum, ius *nullo modo dependens a facto praeterito*, ideoque lex illam habilitatem tollens, nequaquam egit retrorsum nec sustulit quaesitum ius. Ratio namque cur iuvenis xv annorum sit inhabilis ad matrimonium est *praesens eius aetas*, non factum praeteritum, quia nullo unquam tempore quispiam ius habuit quaesitum ad matrimonium ante aetatem *a lege ipsa* permissam. A pari, in nostro casu, qui, quum sit prima dignitas Capituli, habebat praecedentiae ius in choro super Vicario Generali, ita disponente lege quae tunc vigeat; hodie, mutato hoc iure et sancita praecedentia Vicarii Generalis etiam super dignitatibus, idem ille, quamquam sit et maneat prima dignitas, iam nequit praetendere praecedentiam quam habebat; quia nimirum hoc ius per legem fuit in futurum sublatum independentem a facto praeterito, immo per solam legis mutationem; quum numquam prima dignitas habuerit praecedentiae ius super illis quos lex ei quoad praecedentiam anteponeret. Id manifestius quoque, si oporteret, redderetur considerando quod, si argumentum istud de iure quaesito non tollendo in casu valeret, valeret pro omnibus et singulis Capitulis, et ideo in nullo Capitulo locum haberet praescriptum can. 370. Enimvero in omnibus et singulis Capitulis, prima dignitas, in functionibus choralibus et capitularibus, super Vicario Generali qui ut simplex canonicus accederet, praecedentiam habebat ante Codicem.

Codicem autem immutasse de facto ius antea in hac parte vigens, res est manifesta : immo leges de praecedentia in Codice contentae sunt et apparent ex illis legibus quae 'totam de integro ordinant legis prioris materiam' (can. 22) et ideo ad normam can. 6, n. 1, quoslibet leges sive particulares sive contrarias omnino abrogant. Enimvero in Codice primum (can. 106) inveniuntur normae generales, perspicuae illae ac omnino rationabiles, hanc materiam ordinantes, quae singulis locis variis muneribus applicantur, utpote nominatim in can. 370 officio Vicarii Generalis. Frustra quid simile perquires in toto corpore iuris (cfr., v. g., can. 1 et 15, X, *de maior. et obed.*, I, 33; Extrav. Ioann., XXII eod; Conc. Trid., sess. XXV, can. 6 et 17 *de ref.*); ubi nonnisi lacinias invenies, praeter quas, ad moderandum ius praecedentiae, non supererat nisi congeries resolutionum S.R.C., atque usus et observantia. Signanter circa munus Vicarii Generalis ex densa et intricata sylva decisionum S. R. C. id demum erui poterat : Vicario Generali deberi primum locum ante Capitulum non exclusis dignitatibus, tam absente quam praesente Episcopo (quamvis hoc postremum magis erat controversum) si interveniebat ut Vicarius Generalis et in habitu vicariali, non autem si uti

canonicus et in habitu canonicali. Id autem praeterquam satis incongruum esset, quum Vicarius Generalis cogeretur vel *distributiones chorales* (in prima hypothesi); vel *praecedentiam* (in altera) amittere, non ubique erat receptum: immo quum ea de causa controversiae et lites et rixae non cessarent, universale remedium inventum fuerat, standum esse hac in re consuetudini cuiusque ecclesiae (Ferraris, sub voc. *Vicarius Generalis*).

Merito itaque Codex totam *ex integro* hanc materiam ordinavit non modo praecedentiam definiens quoad singula munera, sed etiam principia generalia statuens unde illae singulae sanctiones aestimarentur. In nostra specie can. 370 prona est applicatio horum principiorum prout can. 106 ponuntur: ibi enim legitur: '(1) qui alius personam gerit ex eadem obtinet praecedentiam; (2) cui est auctoritas in personas sive physicas sive morales eidem est ius praecedentiae supra illas': quae duo principia evidenter obtinent in munere Vicarii Generalis respectu cuiuslibet membri aut dignitatis Capituli et etiam integri Capituli (cfr. can. 368), quum ille teneat locum Episcopi et habeat iurisdictionem in omnes et singulos clericos dioecesis, non exclusis canonicis et dignitatibus ecclesiae cathedralis. Itaque ordinata noviter ex integro ad normam horum principiorum materia de praecedentia Vicarii Generalis, iam nullo modo attendendum est ad obsoletam distinctionem Vicarii assistentis in qualitate, seu melius, in habitu vicariali, et in qualitate, seu potius, in habitu canonicali: vicissim, quum ex hisce principiis, merito Codex negaverit Vicario Generali praecedentiam in clericum characterem episcopali fulgentem, quatenus ipse eodem careat, cessavit omnino quod satis communiter tradebant Auctores (cfr. r. g., Leurenium, *de Vic. Gener.*, q. 41): Vicarium nempe Generalem praecedere ceteris canonicis, tametsi aliqui ex illis consecrationem Episcopalem recepissent.

Ceterum, quod attinet distinctionem vestis vicarialis et vestis canonicalis, haud immerito quis coniiceret eam excogitatam esse ad tollendum altera manu quod altera concedebatur. Tenebant enim Doctores, Vicarium Generalem nisi vestibus canonicalibus indutus suae receptionis occuparet stallum, non lucrare distributiones (cfr. Ventriglia, *Prax.*, Lotter, *De benef.*, I, q. 16, n. 63; Barbosa, *De canon.*, c. 18, n. 32). Quo pacto Vicario Generali *in choro* de facto praecedentiam negabant; nam si Vicarius Gen. non est canonicus, nihil habet *in choro* faciendum: chori enim nomine non intelligitur locus materialis, sed consessus officium divinum in loco chori peragentium. Si itaque explicite Codex Vicario Generali praecedentiam servat *etiam in choro*, eidem illam servat etiam quando ut canonicus, *veste canonicali* indutus ad normam can. 409, ibi praesens est: non enim in choro praesens, sed tamquam absens a choro censeretur iuxta praefatum canonem, si in veste canonicali non accederet.

RESOLUTIO.—Eññi Patres S. C. Concilii in plenariis comitiis diei 17 maii, supra enunciatis dubiis propositis, respondendum censuerunt *Ad utrumque: affirmative*. Quam resolutionem SSñus D. N. Benedictus div. Prov. PP. XV, referente infrascripto S. C. Secretario in Audientia insequentis diei 18, approbare et confirmare dignatus est.

I. MORI, *Secretarius*.



THE POWER OF ALIENATING ECCLESIASTICAL PROPERTY  
GRANTED TO ORDINARIES IN THE NEW CODE IS FURTHER  
DEFINED BY THE CONGREGATION OF THE COUNCIL

(May 17, 1919)

[The decree was published in October, 1919]

SACRA CONGREGATIO CONCILII  
ALBINGANEN. ET ALIARUM  
SANATIONIS ALIENATIONUM  
17 maii 1919

QUAESTIO.—Occasione cuiusdam petitionis Ordinarii Albinganen., ad tollendam quae de facili in praxi emergere posset ambiguitatem, mandatum est disceptari in hac S. Congregatione utrum Ordinarii, qui ad normam can. 1532, § 1, facultatem facere possunt alienandi bona ecclesiastica, quorum valor non excedat triginta millia libellarum, possint etiam *sanare* emptiones venditiones, quae sine debita licentia factae fuerint; et, in suppositione quod possint, an debeant in casu servare leges seu praescripta eiusdem canonis 1532, §§ 2, 3.

ANIMADVERSIONES ad propositam quaestionem solvendam ita a quodam cl. Consultore luculenter proponebantur. Statuendum ante omnia quinam sit valor alienationis, quae sine debita licentia fuerit peracta. Quod quidem facile admodum negotium est, quum ipse legislator in Codice id expressis verbis edixerit. In canone enim 1530, § 1, n. 3 statuitur: '(Requiritur) 3° licentia legitimi Superioris, sine qua alienatio *invalida* est.'

At quaeri ulterius potest de qua invaliditate sermo sit. Distinguunt enim iuriconsulti duplicem invaliditatem, alteram completam, incompletam alteram. Haec tunc habetur, quando non desunt elementa negotii iuridici, sed vitio aliquo inveniuntur affecta. Illa locum habet, quum in negotio aliquod deest ex elementis intrinsecis aut essentialibus requisitis sive ex natura rei, sive ex voluntate legis aut partis. Primi generis invaliditas *rescindibilitatem* producit, alterius vero *nullitatem* veri nominis. Et certum est ex data quoque definitione, alienationem sine licentia peractam efficere ut negotium sit *nullum*.

Iam age, quod nullum est, nullum producit effectum; scilicet non producit effectum illum, ad quem producendum ab agente actus positus est. Et in hoc nulla potest esse difficultas. Nemo enim dixerit in casu nostro alienationem sine debita licentia peractam transmittere dominium, stante citata praescriptione Codicis, collato canone 1680 § 1, in quo dicitur: 'Nullitas actus tunc tantum habetur, quum in eo deficiunt quae actum ipsum essentialiter constituunt, aut sollemnia seu conditiones desiderantur a sacris canonibus requisitae sub poena nullitatis'; quod ultimum praecise in casu nostro obtinet. Agitur proinde in casu de actu *nullo stricte actio*.

Porro quinam sunt effectus actus iuridice nulli in sensu stricto huius vocis? Actus nullus non habet iuridicam existentiam, quare nec

constituere nec immutare, nec extinguere potest relationem ullam iuridicam; hinc ex. gr. res tradita in executionem actus nulli non transit in proprietatem acquirentis et vindicari potest ex quocumque possessore;—praeterea actus nullus caret quovis effectu et vi in relatione ad omnes interesse habentes; quare non solum emptor, sed venditor quoque potest agere contra invalidam seu nullam alienationem, ut pro re nostra patet etiam ex § 2 can. 1534;—deinde, actus nullus non eget invalidari;—tandem actus nullus sanari non potest, quia non sanatur nisi illud quod exstitit; actus autem nullus nec existit nec exstitit unquam.

Omissis autem aliis effectibus, de quibus in praesenti non est quaestio, de hoc ultimo, qui ad rem nostram proxime facit, aliquid magis in particulari dicendum est.

Nullitas igitur actus *insanabilis* est, quia nec praescriptio nec confirmatio seu ratihabitio efficere potest ut actus nullus convalescat.

Et re quidem vera, in ordine ad actum nullum, ne loqui quidem possumus de praescriptione. Praescriptio enim supponit ius aut actionem, quod exerceri aut quae poni debebat, exercitum aut positam non esse; ad hoc autem ut actus nullus non producat effectus iuridicos, nullum ius exerceri, nullam actionem poni necesse est. Hinc poterit quis semper opponere fundamenti defectum in actione, quam alter contra ipsum experiri vult, etsi praescriptionis tricennalis aut ulterioris limites praeterlapsi fuerint. Cfr. *Codex*, can. 1893. Hoc unanimiter tradunt iurisconsulti recentiores, hoc docuerunt antiqui. Iam Licinius Rufinus (l. 210 *de div. reg., iur. ant. D., L, 17*) dicebat: 'Quae ab initio inutilis fuit stipulatio, ex post facto convalescere non potest' et Paulus (l. 29 tit. cit. D.): 'Quod ab initio vitiosum est, non potest tractu temporis convalescere'; quae omnia consecravit Bonifacius VIII in regula 18 iuris in 6°: 'Non firmatur, tractu temporis, quod de iure ab initio non subsistit.'

Sed neque confirmatione sanari potest; non enim sanatur nisi illud, quod, etsi infirmitate laborans, existit tamen. Quare actus nullus debet de novo integer poni sine defectu, quo antea inficiebatur, quique nullitatis causa exsistebat. Loqui quidem possumus, et ita de facto saepe iurisconsulti et canonistae, aliquando ipsum ius, loquuntur, de confirmatione, ratihabitione seu sanatione actus absolute nulli; sed haec est impropria locutio. Vera enim confirmatio vel ratihabitio seu sanatio ea est, quae habet effectum retrotractionis; nam 'ratihabitionem retrahere' et mandato non est dubium comparari' (reg. 10 iur. in 6°). Porro effectus iste retrotractionis applicari quidem potest actibus rescindibilibus, non vero actibus nullis, neque citata regula iuris locum habet quando mandatum ab initio requiritur tamquam *forma actus* aut *per vim auctoritatis*. Testem habemus Gaium (l. 9 § 5 *de auct. et cons. tut., etc., D. XXVI, 8*; cfr. § 2 *de auct. Inst. Iust. I, 21*) aientem: 'Tutor statim in ipso negotio praesens debet auctor fieri; post tempus vero aut per epistolam interposita eius auctoritas *nihil agit*.'

Quare ea, quae aliquando dicitur confirmatio actus nulli, non est vera confirmatio, sed positio novi actus validi, qui omnes habens conditiones a iure praescriptas, suos effectus *ex nunc*, id est ex tempore



quo positus est, producit. Hinc, si impubes testamentum condit, quod legalem aetatem adeptus confirmat, haec suae voluntatis declaratio non efficit validum testamentum, quod erat et manet nullum; si confirmatio facta fuerit observatis omnibus sollemnitatibus a iure praescriptis habebimus testamentum validum, quod, substantia rei inspecta, idem erit ac primum, sed formaliter novum omnino testamentum est. Et quamvis in contractu partes contrahentes possint, si velint, pacisci, ut novus actus seu novum negotium existimetur produxisse suos effectus ex eo tempore, quo positus fuerat actus nullus, id quidem poterunt, sed hoc valebit vi additi pacti, non vi actus nulli prius positi, et vim habebit inter partes paciscentes, non autem relate ad tertios.

Hanc novi actus positionem seu stipulationem libere faciunt partes sine ullo interventu magistratus aut iudicis, quae tamen, ut diximus, ipsum actum nullum sanare non possunt. Pariter libere possunt partes renunciare iuri, quod in foro nostro ex can. 1679 habent, experiendi actionem ad obtinendam a iudice declarationem nullitatis. Sic etiam ex. gr. in iure civili (Cod. civ. ital., art. 1311) statuitur confirmationem seu ratihabitionem testamenti nulli locum non habere nisi ex parte heredum aut causam habentium a testatore, ex quo indirecte deducitur testatorem ipsum non posse ratihabere posteriore declaratione aut novo actu testamentum ipsum suum nulliter factum. Quae quidem merito statuuntur. Nam validitas vel invaliditas actus iuridici non potest dependere a voluntate privati hominis, sed unice ex praescripto legis, dum contra in potestate est interesse habentis sese iuvare, vel non, nullitate a lege statuta. Ratihabitio ex parte ipsius testatoris secumferret in eo potestatem substituendi sollemnitatibus a iure praescriptis alias diversas sollemnitates, quibus efficeretur validum testamentum quod ex lege nullum est; contra, ratihabitio ex parte heredum id non importat, nec testamentum nullum facit validum, sed unice importat renuntiationem ex parte heredum iuri invocandi declarationem nullitatis, eamque opponendi, renuntiationem utilitati et commodis, quae ipsis provenire possent ex oppositione actionis nullitatis. Hanc renuntiationem privatus quoque homo facere potest.

Sed an actus nullus veri nominis sanationem seu confirmationem nancisci potest, *magistratu interveniente suamque auctoritatem interponente*? Porro ex dictis negativa prorsus descendit responsio; rationes enim, quae ad adstruendam impossibilitatem sanationes actus nulli allatae sunt, ex intimis procedunt seu ex ipsa iuridica natura actus.

Verum dubitari quidem potest ex nonnullis textibus iuris. Certe in iure Romano (l. 38 *De adopt.* D. I. 7) dicitur: 'Adoptio non iure facta, a Principe confirmari potest'; idem dicitur (l. 3 *si maior factus etc.* C., V., 74) fieri in casu alienationis fundi rustici facta a minore sine decreto auctoritatis exercentis altam tutelam (et est casus valde nostro affinis) per certum temporis decursum. Imo in iure nostro, quod ad casum attinet nostro fere aequalem, dicitur alienationem rei ecclesiasticae a Praelato factam, Capitulo reclamante seu contradicente, non tenere et a successore non debere servari, nisi tamen Capitulum, consensu suo etiam postea, sive ex intervallo, praestito, eam approbet

seuratam habeat: 'certum est de rigore iuris concessionem illam non tenere quam reclamante Capitulo per praedecessorem tuum factam constat fuisse, nisi eam ratam postmodum habuisset,' c. 3 de his quae fiunt a Prael. etc. X, tit. III, 10.

Quid igitur dicendum? Scilicet summus Princeps supra ius est. Ipse igitur, quemadmodum posset novas formalitates seu sollemnitates ad actus validitatem generali lege statuere, ita potest id facere pro singulari actu. Sanare proinde potest actum nullum *prout hic et nunc existit seu cum defectu*, quia *dispensat* super ea formalitate, ex qua actus nullitas exsurgit, dummodo, ut patet, nullitas proveniat ex defectu *extrinsecae* sollemnitatis, quae ex ipsius obtinet voluntate. Quare non potest ex. gr. sanare contractum nullum ex defectu consensus.

Neque sanare potest actum *ex tunc*, sed solummodo *ex nunc*, nisi per fictionem iuris, concedens partibus privilegium et favorem, qui in sua sit positus potestate. Neque id ordinarie potest laedendo iura tertio acquisita; nam certe nemo dixerit Romanum Pontificem ita ex. gr. sanare posse in radice matrimonium Caii ut hereditatem Titii,—qui suum heredem instituit filium Caii legitimum, vel, si non haberet, Sempronium,—transferat de Sempronio in filium Caii, qui, sanato in radice matrimonio patris sui, postquam Sempronius mortuo Titio, eius hereditatem adivit, exinde evasit filius legitimus Caii et natus erat ante mortem Titii.

Quare potest summus Princeps sanare actum nullum ex nunc, vel etiam ex tunc, intra limites supra dictos; sed non nisi summus Princeps potestate ordinaria, quia ad hoc necesse est ut confirmans seu sanans supra ius sit positus.

Id autem potest summus Princeps sive particulari concessa dispensatione, sive generali constitutione legis; id vero non possunt inferiores magistratus. Ex his autem clara fiunt ea, quae sive ex iure Romano sive ex iure nostro supra fuerunt adducta.

Haec proposito casui applicando, quum nulla in Codice exstet lex, qua, supposita accessione consensus Ordinarii ad alienationem iam nulliter peractam, ista sanari dicatur, quemadmodum antiquo iure fuerat statutum, ut vidimus, in casu alienationis ab Episcopo factae sine consensu Capituli, dicendum est Ordinarium non posse sanare alienationem sine sui licentia, a iure requisita, factam.

RESOLUTIO.—Propositis in plenario conventu S. C. Concilii habito die 17 maii 1919 supra enunciatis dubiis, nimirum:

I. *An loci Ordinarius vi canonis 1532 sanare valeat peractas sine debita licentia alienationes bonorum ecclesiasticorum, quorum valor non excedat triginta millia libellarum.*

Et quatenus affirmative:

II. *An idem Ordinarius, quum sanationem impertitur, teneatur servare praescriptas normas canonis 1532, § 2 et 3.*

Eñi Patres respondendum censuerunt:

Ad I. *Negative.*

Ad II. *Provisum in primo.*



Factaque de praemissis SSmo Dño Nostro Benedicto Div. Prov. PP. XV relatione, per infrascriptum S. Congregationes Secretarium, in audientia diei 18 subsequentis. Sanctitas Sua datas resolutiones approbare et confirmare dignata est.

I. MORI, *Secretarius*.

**A PLEA OF DEFECT OF MARITAL CONSENT PROCURES A  
DECLARATION OF NULLITY OF MARRIAGE**

(November 18, 1918)

[This decree was published in September, 1919]

ACTA TRIBUNALIIUM  
SACRA ROMANA ROTA  
ARGENTINEN.

NULLITATIS MATRIMONII (LEICHTER-KERN)

*Benedicto PP. XV feliciter regnante, Pontificatus Dominationis Suae anno quinto, die 18 novembris 1918, RR. PP. DD. Guilelmus Sebastianelli, Decanus, Ponens, Maximus Massimi et Iulius Grazioli, Auditores de turno, in causa Argentinæ.—Nullitatis matrimonii, inter Annam Kern, actricem, repræsentatam per legitimum procuratorem ex officio deputatum Sac. Alphium D'Agata, advocatum, et Maximilianum Leichter, interveniente et disceptante in causa Rmo Substituto Defensoris vinculi ex officio, sequentem tulerunt definitivam sententiam.*

Anna Kern, catholica, illicitis indulgens amoribus, filium habuit a Maximiliano Leichter, lutherano. Cum deinde rursus uterum gestasset, a fratre fuit derelicta et ab aedibus alienata. Quare, ut sibi ac proli consuleret, coacta est cum amasio maritale vinculum inire per ritum civilem die 30 ianuarii anni 1902 in civitate Muelheusen, spem fovens contrahendi postea coram Ecclesia. Illic tamen iurgia et contentiones vitam communem agitarunt, quibus post decennium finis impositus fuit per divortium, a civili magistratu obtentum die 1<sup>a</sup> decembris 1912. Mulier, suae libertati restituta, die 2 februarii 1914 nuptias pariter civiles contraxit cum Ioanne Bulker, viro catholico. Cupiens praeterea cum eodem matrimonium quoque ecclesiasticum celebrare, a Curia Argentinensi petiit declarationem nullitatis prioris sui coniugii initi cum M. Leichter. Processu ad normam iuris instructo, die 30 iunii 1915 sententia prodiit actrici favorabilis, a qua, appellatione interposita a vinculi vindice apud iudices Metenses, qui, vi indulti apostolici diei 10 iunii 1910, Tribunal secundae instantiae constituebant, isti matrimonium validum declararunt. Primae et secundae instantiae dissentientibus iudicibus, actrix ad H. S. Auditorium provocavit, et hodie tertio causa proponitur disceptanda sub assueta formula dubii: *An constet de nullitate matrimonii in casu?*

*Ius quod spectat.*—Concilium Tridentinum, in cap. I, sess. XIV, *De reform. matrim.*, decrevit irrita et invalida esse matrimonia, quae non contraherentur coram paroco et duobus aut tribus testibus: decernens

insuper ut conciliaris dispositio 'in unaquaque paroecia suum robur post triginta dies habere incipiat, a die primae publicationis in eadem paroecia factae numerandos.' In locis itaque in quibus non est promulgatum Tridentinum valet matrimonium quacumque forma celebretur, dummodo adfuerit consensus; matrimonium enim facit partium consensus, qui nulla humana auctoritate, neque ecclesiastica, neque civili, suppleri valet (Codex Iuris Canonici, can. 1081, § 1). Quaestio autem institui potest an in iisdem locis contrahentes matrimonium, quod vocant, civile, valide contrahant. Ratio dubitandi ex eo petenda est quod Ecclesia huiusmodi matrimonia constanter reprobaverit. Eñus Gasparri quaestioni respondet distinguendo: 'Si partes—ait—habiles sunt iuxta Ecclesiae leges et actum civilem ponentes ante matrimonium coram Ecclesia, intenderint verum matrimonium, actus civilis est verum matrimonium, non quia lex civilis servata est, sed quia nihil deest iuxta Ecclesiae legislationem necessarium ad matrimonii validitatem' (*De matrimonio*, n. 1526, edit. 3<sup>a</sup>). Eadem habet Wernz: Contrahentes sponsi, sive catholici, sive acatholici baptizati, qui lege tridentina non sunt adstricti in mere civili matrimonii celebratione, etsi illicitum, tamen validum ineunt matrimonium, dummodo intentionem habeant verum contrahendi matrimonium, neque aliud obstet canonicum impedimentum: at si civilem tantum velint performare caeremoniam, quam ex ipsorum intentione sequatur in Ecclesia coram ministro cultus verus contractus matrimonialis, religiose celebrandus, omni valore caret matrimonium civile' (*Ius Decret.*, IV, n. 207). Canonistis consonant Moralistae, quorum princeps, in sua *Summ. theol. mor.*, p. III, n. 443, not. I, haec scribit: 'Quamobrem si ubi matrimonium valide contrahitur, et alter ex eis intendat civilem dumtaxat ritum peragere (quod est praesumendum, quia matrimonium graviter illicitum foret) hoc ne intelligi quidem potest.' Hanc doctrinam sequutum fuit nostrum Tribunal in *Colonien.*, 27 augusti 1910, coram Persiani; in *Argentin.*, 23 februarii 1912, coram Heiner; in *Colonien.*, 10 iunii 1912, coram Mori, etc.

Ad rite vero cognoscendum quodnam fuerit praecise obiectum voluntatis contraentium in ritu civili peragendo, an nempe mera caeremonia vel verum matrimonium, pendere necesse est personarum, loci ac temporis circumstantias. Ita si agatur de catholicis, qui sua munera religiosa implent, praesumendum est volitum fuisse tantum ritum civilem prouti talem, non vero matrimonium; tales enim catholicos catholice operari censendum est. A fortiori valet haec praesumptio si consuetudo adest ut coram magistratu mera tantum caeremonia peragatur, ut postea in ecclesia matrimonium celebretur; quilibet enim praesumitur sese conformari consuetudini loci, ubi agit. Cohærenter ad haec S. C. Concilii, die 12 augusti 1882, nullum declaravit matrimonium initum Londini a quadam Maria catholica cum quodam Paulo graeco-schismatico. Quam decisionem referens Card. Gasparri, in opere cit., n. 906, haec adnotat: 'Petitio nullitatis pluribus innitebatur capitibus, sed putamus rationem decidendi hanc fuisse. Maria scilicet coram magistratu civili vulgo *Registras* non intendit verum matrimonium, sed



sponsalia. Id suadebatur ex eo quod in Gallia, ex consueta catholica educatione receptisque moribus, omnes retinent civilem actum non esse verum matrimonium, uti iudex Parisiensis testatur, et praeterea id satis probabatur ex depositione tum Mariae, tum etiam Pauli, quam alii quoque testes confirmabant.'

*Modo ad factum.*—Cl. Wernz (loc. cit., n. 163 in fine) animadvertit in aliquibus regionibus, quam ipse enumerat, iampridem a fide catholica alienis, postea sive per expressam publicationem, sive per longevam observantiam caput *Tametsi* in aliqua parochia publicatum fuisse, ut accidit Argentorati inde a tempore Ludovici XIV, Baltimorae, Berolini et in civitate *Muelhausen*, quibus tamen in locis 'soli catholici lege irritante Concilii Tridentini ligabantur; immunes vero erant omnes acatholici baptizati, etiamsi cum parte catholica contraherent mixtum matrimonium.' Notandum ulterius est in Germania catholicorum opinionem esse communem, matrimonium mere civile non esse verum et proprie dictum matrimonium in sensu christiano. Hoc asseritur et fuse probatur in *Argentinens.*, 23 februarii 1912. Quod intelligendum est non solum de matrimoniis, quae a catholicis contrahuntur, sed de matrimoniis quoque mixtis: quidquid enim sit de parte acatholica, pars catholica in iisdem adiunctis invenitur ac catholici omnes; quae proinde, si suis officiis satisfaciat, nulla ratio est ob quam, quoad eius consensum, iudex non debeat uti normis communibus pro matrimoniis catholicorum. Hoc tenuerunt iudices primae instantiae, in qua legitur 'esse populo christiano persuasum . . . contractum civilem non esse matrimonium validum': et testatur parochus Holb a iudicibus eiusdem instantiae excussus: 'A mon avis—ait—cette idée de la nécessité d'un mariage catholique est l'opinion générale parmi nos gens. Dans ma paroisse j'ai beaucoup de mariages mixtes clandestins, et les catholiques sont tous très étonnés quand je leur dis que leurs mariages mixtes clandestins peuvent être valides.'

Neque contrarium evincunt verba, quae leguntur in epistola S. U. I. Archiepiscopo Colonien. diei 2 iulii 1892: 'Praesumptio stat non pro nullitate, imo vero pro validitate utrorumque matrimoniorum (i. e. mixtorum, sive civiliter, sive coram ministro acatholico clandestine contractorum), quae ibidem a iure tridentino eximuntur.' Etenim (1) dicendum S. Congregationem memorata declaratione nulli respondisse quaestioni, quae fuerit sibi ab Archiepiscopo Coloniensi proposita, eamque declarationem in ea parte epistolae reperiri, in qua praefatum Archiepiscopum monet deterrendos esse fideles ne matrimonia mixta celebrent; proinde non agitur de vera ac proprie dicta decisione iuridica. Nec (2) S. U. Inquisitio absolute omnino statuit in dubio semper standum esse pro validitate matrimoniorum mixtorum, quae fuerint civiliter contracta. Etenim post relata verba legitur 'et in casibus difficilioribus recurrendum ad S. Sedem,' quod inutiliter additum fuisset si semper in dubio pro validitate dictorum matrimoniorum standum esset. Praetereundum tandem non est quod citata declaratio ad summum respiceret et valeret pro Archidiocesi Coloniensi, attento quod in

hac Archidioecesi, sicut et in dioecesis Trevirensi, Paderbornensi et Monasteriensi, ex dispositione Pii VIII, diei 25 martii anni 1830, permissum fuerit ut matrimonia mixta non reservata forma tridentina contrahi deinceps valide possent, unde praesumptio oriri potuit catholicos in genere rescire matrimonium quandoque, seu certis in rerum adiunctis valere etiam coram Deo, etsi in facie Ecclesiae non fuerit celebratum.

Hiscæ prae oculis habitis, praesumendum est Annam Kern voluisse coram magistratu civili meram caeremoniam peragere, nam catholica erat, nec officia religionis negligebat; parochus enim testatur: 'Ils (Anna Kern et I. Bulker) accomplissent leurs devoirs de chrétiens autant qu'ils peuvent le faire.'

Praesumptioni favent acta processualia. Etenim actrix in suo libello introductivo declarat: 'Quoique nous cohabitons, je n'ai jamais considéré ce mariage comme valide, et aussi après le mariage civil.' Quare sponsum perducere volebat ad matrimonium coram Ecclesia celebrandum. 'J'essayais d'amener mon mari à faire bénir notre mariage à l'Eglise catholique, mais sans aucun succès.' Quod confirmat in depositione iurata coram iudice. Ait enim: 'Je savais que le mariage civil ne suffisait pas pour constituer un mariage valide. . . . Je lui (i. e. Leichter) ai dit que ce n'était pas bien de vivre ensemble de cette manière, si nous ne nous marions pas à l'Eglise. Je croyais toujours pouvoir encore l'amener à le faire: mais lui se moquait de moi.' Fidem praebendam esse mulieris depositioni affirmat parochus, qui ad quaesitum: 'Tenez-vous dignes de foi Monsieur Burckel et Anna Kern,' respondit: 'Oui je les crois dignes de foi; car ils auraient facilement pu donner des réponses plus favorables.'

Depositio actricis firmatur a testibus. Ita praefatus parochus ait: 'J'avais vraiment l'impression que, dès les commencements, elle (Anna) était vraiment persuadée d'elle-même que son mariage civil n'était valide.' Andreas autem Glotz, interrogatus: 'Etes-vous personnellement convaincu qu'Anna Kern a considéré comme invalide devant Dieu son mariage contracté à la mairie?' respondit: 'Oui.' His accedunt duae mulieres ab actrice adductae. Prima, i. e. Emma Diener-Stoekli, haec habet: 'Quand ils avaient des disputes, Madame Kern disait souvent à son mari: "Je suis libre, je puis de nouveau te quitter."' Altera autem, i. e. Lina Meier: 'Quand ils se disputaient, Madame Kern disait souvent à son mari, qu'elle pouvait de nouveau le quitter, puisque elle n'était pas mariée à l'Eglise.' Iamvero ratio ab Anna adducta, ob quam poterat a Maximiliano divertere, nullam vim haberet, si sponsa putasset contractu civili cum eo inito verum matrimonium contraxisse.

Opponit Rev. Substitutus vinculi defensoris, quod dubitari potest an anno 1912, 'quo civile foedus cum Maximiliano Leichter Anna contraxit, illa revera hanc opinionem habuerit.' At concedimus praefatas depositiones, in se tantum inspectas, non probare voluntatem actricis tempore quo civiliter nupserit; at denegandum non est quod, inspectis iis, quae matrimonium subsequuta fuerunt, iure meritoque deduci potest, quanam fuerit ipsius actricis mens in matrimonii celebratione.

Obiicitur deinde incredibile fere esse Annam matrimonium civile



nullum reputasse et per integros decem annos cum viro cohabitasse, non obstantibus verberibus, aliisque vexationibus, quibus subiiciebatur. At haec omnia nec probant, nec praesumere faciunt Annam retinuisse validum contractum civilem. Etenim ipsa, a fratre derelicta et e domo expulsa, censuit non posse aliter suae egestati consulere, quam cum proprio amasio instaurare cohabitationem, quae, si ritu civili tantum, non autem ecclesiastico, inita fuit, hoc unice a viri reluctantia repeti debet, uti supra dictum est.

Post haec inutiliter prorsus affirmatur Annam Kern laborasse errore iuris circa validitatem matrimonii civilis, qui error nec opponitur consensui matrimoniali, nec nuptias irritat. Nam matrimonium in specie invalidum et nullum dici debet non ex errore iuris, quo Anna laborabat, sed ex pluribus circumstantiis, quae, insimul iunctae, demonstrant non adfuisse consensum maritalem.

Quibus omnibus rite diligenterque perpensis, Nos infrascripti Auditores de turno, pro Tribunali sedentes et solum Deum prae oculis habentes, Christi nomine invocato, decernimus, declaramus et definitive sententiamus *constare de matrimonii nullitate in casu*.

Ita pronunciamus, mandantes Ordinariis locorum et ministris tribunalium, ad quos spectat, ut executioni mandent hanc nostram definitivam sententiam, et adversus reluctantes procedant ad normam sacrorum Canonum et praesertim cap. 3, sess. XXV, *De reform.*, Concilii Tridentini, iis adhibitis executivis et coërcitivis mediis, quae magis efficacia et opportuna pro rerum adiunctis exstitura sint.

Romae, in sede Tribunalis S. R. Rotae, 18 novembris 1918.

GUILELMUS SEBASTIANELLI, Decanus, *Ponens*.

MAXIMUS MASSIMI.

IULIUS GRAZIOLI.

L. ✠ S.

Ex Cancellaria, die 30 decembris 1918.

Sac. T. Tani, *Notarius*.

## DECREE REGARDING THE CANONIZATION OF BLESSED JOAN OF ARC

(July 6, 1919)

SACRA CONGREGATIO RITUUM

AURELIANEN.

DECRETUM CANONIZATIONIS BEATAE IOANNAE DE ARC VIRGINIS, PUELLAE  
AURELIANENSIS NUNCUPATAE

SUPER DUBIO

*An, stante duorum miraculorum approbatione, post indultam eidem Beatae ab Apostolica Sede venerationem, tuto procedi possit ad solemnem ipsius Canonizationem?*

Caelesti rerum dispensatione equidem evenisse apparet, ut asperimis hisce temporibus, quibus catholica Ecclesia acerrimo undique

bello divexatur et haec sancta Petri Sedes tot variis oppugnatur modis, causa Canonizationis Beatae Ioannae de Arc supremum suum, mira successus prosperitate, assequeretur fastigium.

Nam cuncta, quae in eadem electissima causa gesta huc usque fuisse ob oculos ponit et ex ordine singillatim describit authentica actorum omnium recensio, qui animo reputaverit complexusque cogitatione fuerit, huic sane, necessaria quadam factorum connexionem, fel. rec. Callistus Papa III sponte se sistit, eique cunctisque, qui corruptae praeiudicataeque opinionis plane sint expertes, invictum veritatis iustitiaeque assertorem idem magnifice se probat Romanus Pontifex eximiumque vindicem.

Pro cupidine namque, qua constanter eo feruntur perpetui catholici nominis hostes, ut, quamlibet, vel minimam, sibi excidere occasionem non patiantur, quin suspicionem et invidiam Ecclesiae Christi parent, Aurelianensis Puellae etiam abuti connisi sunt historia, inde sat firmum ducere se posse argumentum autumantes, quod scilicet homines nequam, qui in teterrima innocentissimae Virginis patranda nece praecipuam habuerant partem, ecclesiasticae addicti erant militiae.

Sed contra, quod sperabatur cessurum fore in manifestum Apostolicae Sedis dedecus, ad eiusdem ostendendam magis magisque ponendam in aperto divinam institutionem mirifice inserviit. Scitum quippe est, in eo tam iniquo tamque nefario insonti Adolescentulae illato supplicio, quidquid minor peccaverit Ecclesiae pastor aliqui peccaverint sacro mancipati ministerio, id omne plene cumulateque correctum emendatumque fuisse a supremo universalis Ecclesiae Pastore; utque expectandum et opus profecto erat, tanta prudentia tantaque sapientia adeo grave susceptum, gestum expeditumque fuisse negotium, ut ostenderunt postea apertumque fecerunt mirabiles, qui consecuti sunt, eventus.

Nedum enim apostolica Summi Pontificis Callisti III auctoritate omnino est rescissa penitusque abstersa, quae, per summum scelus, nobilissimae Darcensi Virgini iniusta fuerat infamia, verum et, quodque longe maius praeclariusque, ut res ipsa docet, extat atque eminent, eiusdem Aurelianensis Puellae, aetate hac nostra, agitari coepit Beatificationis causa, eaque, temporis spatio vicennio minori, fauste feliciterque ad exitum perducta, inita quoque est causa Canonizationis, quae prospere non minus quam expedite sic pariter processit, ut, vix expleto decennio, optatam contigerit metam.

Ad integram siquidem perficiendam actorum seriem, prouti eandem deposcit flagitatque constitutus iudicialis ordo, illud tantum supererat inquirendum: *An, stante duorum miraculorum approbatione, post indulgentiam Beatae Ioannae de Arc ab Apostolica Sede venerationem, tuto procedi possit ad solemnem ipsius Canonizationem?* Quocirca per Reverendissimum Cardinalem Ianuarium Granito Pignatelli di Belmonte causae Relatorem, praefato proposito Dubio in generalibus sacri huius Ordinis comitiis, quae, die decima septima mensis iunii huius vertentis anni, coram Sanctissimo Domino nostro Benedicto Papa XV celebrata sunt, omnes qui convenerant, tum Reverendissimi Cardinales tum Patres



Consultores, *tuto procedi posse* uno ore respondendum censuerunt. Verumtamen, tam grave iudicium suprema claudere sententia Sua distulit Sanctissimus Dominus noster, ut interim, effusis precibus, in tanta re definienda maiora sibi a Patre luminum auxilia compararet. Quumque mentem suam postmodum aperire statuisset, hodiernam designavit diem Dominicam IV post Pentecosten; idcirco salutari Hostia ferventissime perlitata, ad Vaticanas Aedes acciri iussit Reverendissimos Cardinales Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, et Ianuarius Granito Pignatelli di Belmonte, Episcopum Albanensem causaeque Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infrascripto Secretario, eisque adstantibus, solemniter edixit: *Tuto procedi posse ad solemnem Beatae Ioannae de Arc Canonizationem.*

Hoc autem Decretum publici iuris fieri, et in acta sacrorum rituum Congregationis referri, nec non litteras apostolicas sub Plumbo de Canonizationis solemnibus, ubi primum licuerit, in Basilica Vaticana celebrandis expediri mandavit, pridie nonas iulias anno MCMXIX.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius.*

L. ✠ S.

## REVIEWS AND NOTES

STUDIES IN MODERN IRISH. Part I. By the Rev. Gerald O'Nolan, M.A., B.D., Professor of Irish, St. Patrick's College, Maynooth. Dublin: The Educational Company of Ireland, Limited.

A SERIOUS defect in most of our Irish grammars is that they appear to have been compiled in accordance with the writers' ideas and whims as to what Irish should be, rather than based on the best specimens of the language as employed by the best writers. A grammar of Modern Irish constructed from the writings of our many recent authors, and representing the language of the best speakers, is one of the things the Irish movement has so far failed to give us. Since the inception of the Gaelic League a continuous stream of Irish prose and verse has been coming from the press, a number of dialects have been scientifically examined, and a considerable body of folk-lore of various kinds has been made available for study. The time would seem ripe when at last we might have a standard grammar of our own language.

It is pleasing to find that a beginning has been made. The Rev. Father O'Nolan, in the work before us, contributes a number of important essays carried through on the right method. He bases his studies on reliable material, cites his authorities, and quotes abundant examples in proof of the rules he elaborates. The opening chapter fills almost fifty pages and deals with the uses of the verb *ír*. The difficulties of this verb constitute a great stumbling-block for all beginners of Irish. Father O'Nolan's treatment of the syntax of *ír* is the most valuable that has yet been made. He has made the subject especially his own. O'Malley contributed an important treatise to *Eriu* some years ago, but its scope and plan render it of service to students of early Irish rather than to the more numerous class who are anxious to speak and write Irish with grace and ease. Atkinson based a short study on Keating's *Three Shafts of Death*, but no writer has hitherto faced the subject in the same thorough fashion as Father O'Nolan. He reduces the uses of this verb to two main classes, the one found in identification, and the other in classification sentences. Both classes are then subdivided into a number of types, and adequate illustration of each type is supplied from Father O'Leary's works and from some other sources.

With the material used, Father O'Nolan certainly reduces to order the contradictory statements of previous grammarians. The main thesis of the chapter is that the verb *ír* is always followed immediately by the predicate, either in material or pronominal form. Thus, adopting the formula, *V* = verb, *P* = predicate, *p* = pronoun standing for predicate



and *S* = subject; if *V* is expressed, it must always be followed immediately by either *P* or *p*. This reduces the uses of *1r* to uniformity, and is in opposition to the teaching of all previous grammarians who maintain that *1r* is followed in some cases by the subject, and in others by the predicate. Difference of opinion as to which of two expressions is predicate and which is subject will frequently arise in the absence of contexts, and this absence probably accounts for the diversity of statements found in our grammars. There are a number of small points in the chapter which will not find general acceptance. In regard to the much-disputed *1r mīre an bār* (page 36), it might be argued that at an earlier stage of the language, *1r mīre* would be represented by *Δm*, combining the subject and copula, and consequently *mīre* would appear to be subject. Again, the translation of the Words of Consecration objected to on page 39 is found in a homily in the *Leabhar Breac*, and therefore, is at least as old as the fourteenth century.

The second chapter deals with prolepsis of the pronouns and of other words and is closely connected with the first, for *p* in the formula above is really a case of prolepsis. Next follows a very exhaustive and lucid account of the relative particles, *Δ*, 'n-*Δ*, *ζο*, etc., in use in Munster Irish. On pages 112-3 there is mention of the very peculiar use of *οο* before a verbal noun in relative clauses. No satisfactory treatment of this usage has ever been given, and it is a pity that Father O'Nolan dismisses it so briefly, all the more so, as the type of construction which is preferred to it in Munster is not found in Connacht or Ulster at all. There are chapters on the verbal noun, partitive *οε*, noun phrases (sometimes called indivisible phrases), prepositional phrases, ellipsis, and a large body of very enlightening discussions on various points of grammar brought together under the heading 'Miscellaneous.' There is at the end a list of words which have undergone a change of meaning, forming perhaps the most interesting section of the volume. The remainder deals in the main with etymologies. In this department views are liable to continued revision, but the great majority of the derivations given by Father O'Nolan may be accepted as among those established for all time. There are places, however, where the author might have referred to more recent theories in regard to certain words, e.g., pages 242, 245, 264, 268, 269. The word *féoiu*, now meaning 'possible,' was explained by Strachan as connected with the verb *féadaim*, but Thurneysen has recently stated that *féoiu* is the earliest form of the word, and is related to *féoiuac*, a word meaning 'powerful.' Pedersen's doctrine that Indo-Germanic *p* sometimes gave initial *h* in Old Irish is not universally accepted. Marstrander has proved conclusively, I believe, that the preposition *cum*, *uocum*, is a weakened form of the substantive *coim*. *iozasán* and words of similar formation are certainly cases of the use of two diminutive suffixes, and further the Britannic *65* need not be brought in here, for Meyer has shown that there are frequent cases of short-vowel suffixes ending in *5* found alone; see the second of his papers, *Zur Keltischen Wortkunde*, page 1149. The same writer, if I remember rightly, has argued that the ending in *Catál*, *Tuatál*, etc., is allied to the root

ual, found in Irish *ḟlaic*, etc., the doubling of the *l* arising sometimes under MacNeill's rule. In these and similar matters, as has been said, opinions may vary, but the great bulk of the section devoted to derivation may be taken as the accepted teaching of present-day philologists.

Father O'Nolan is to be congratulated on producing a really serviceable handbook for fairly advanced students, and the concluding Part II will be eagerly awaited. He has broken new ground, and has conducted his investigation with a fine sense of the niceties of Irish speech. The book is provided with a number of well-chosen exercises, and we may, perhaps, repeat here the wish of other reviewers, that the author will provide teachers with a Key, either in separate form or with the concluding portion of his work.

PAUL WALSH.

Ὅλντα το ἔμ Δονḡur ḟionn ó Ὅάλαḡ. Edited with Translation, Notes, etc., by Rev. L. McKenna, S.J., M.A. With Preface by O. J. Bergin, D.Litt. Dublin and London: Maunsel & Co., Ltd. 1919.

MATTHEW ARNOLD, among others, has noticed the light magic touch with which the Celts handled Nature in their poetry. And though, in recent times, a certain artificial apeing after the Celtic 'note' by lesser poets has brought this quality of Celticism into disrepute, the 'note' is itself none the less real and true, because of these somewhat bizarre attempts to reproduce it. The very best efforts of the Muse in England, not excepting even the genius of Shakespeare, owe their highest ornament to this infusion of the Celtic spirit into the Germanic basis of the average Englishman. In one department, however—that of religious poetry—England has signally failed to catch this Celtic exaltation. Hymns in English are for the most part very sorry stuff, and, but for the religious influences embodied in them, could hardly be tolerated at all by anyone possessed of the most rudimentary germ of the literary instinct. It is scarcely too much to say that, with one or two notable exceptions, not a line of English liturgical poetry rises above the commonplace. They all bear the unmistakable stamp of the stodgy Germanic *Gemeinheit*. Of Irish religious poetry the Revival has hitherto given us but little. The appearance, therefore, of this present volume will be a revelation and a treasure to lovers of Irish literature. Of the fifty-five poems which it contains, about fifty are on religious subjects, and though all are written in syllabic metres, requiring elaborate technique, the language rarely seems to be unnatural, or the writer to be cramped by the rigorous laws that governed this style of composition. The fact seems to be that the training in the Bardic Schools was so minute and systematic that conformity to these laws became second nature to the poet. To the modern mind, unused as it is to such close trammels of versification, the cameo-like perfection of these effusions seems nothing short of marvellous. It is to be hoped that familiarity with the poetry of Aonghus will do much to popularise among our Irish students—and budding poets—these difficult but highly harmonious metres.



But perfection of technique is not the only merit of these poems. They breathe a deep and sincere religious sentiment, and form pleasant reading beside the somewhat tiresome enumerations of the γπέριβεαν's perfections, so common in the Διγλινγ. The poet revels in thoughts and figures that almost take our breath away, so untutored are we moderns in the inner ways of Celtic religious thought. While many of Aonghus' epithets and images are borrowed from the common stock of mediæval Latin religious poetry, some (as the learned Editor remarks) are peculiar to Irish, and some perhaps to Aonghus himself. That intimate communing with Nature, and peculiarly happy knack of using her as the handmaid of Poetry, to which we referred in the beginning as specially characteristic of the Celt, is seen in many of O'Daly's compositions. Mary, e.g., is "Σημαν να Μαίγειρεαν" (xii), "έαρζα αν ειμις όρ μνάιβ" (xiv), "έαρζα αρ ελοινε να αν σημαν" (xxii), "πέ ιομλάν άρ η-όζαότ," "πέαλτα ιύιλ αν αιμιύιλ" (xxv). Or, again, she is—"εολάό ηε ουινε νοαλλ" (vi), "εριαόβ εολυιρ να η-υίλε η-όζ" (xii), "τεαζουαρ όριρ πυιιτ Παρητέαιρ" (xxv), "Σημανάν ελάν ηιηε" (xxv), "τονη ιότρηάιζ έορέαυιτε" (xi), "τοδαρ Σηάιρ αν τοιζε έυαρ" (xii), "εαορ βυαόα αν εαυιλα φινν" (xii), "τονη ηιοδαρεα" (xii), "τυίλε ζαν τηάιζ" (xv), "εριαόβ έοριαό υό'η ηέιμ ηιόζόα," "εριαόβ ηέιό υ'ά βροζάυι όρ-ένα," "Σέας ναομτα αβλα όρηα" (xxv). These are only a few of the contributions which Nature is made to lay at the feet of Mary. Almost every poem of O'Daly is rich in such vivid imagery, and though repetitions are inevitable in such a large body of religious poetry, they do not cloy the palate, because there is always something fresh and breezy in each new presentment. A remarkable feature of the Mary-poems is the stress which the poet lays on the personal physical beauty of the Virgin. But amidst it all he seems to feel a genuine love and admiration for the Mother-Maid, and to make the reader feel that all these charms serve but to 'half reveal, and half conceal, the soul within.' These poems in particular give us a very vivid picture of the place which the Blessed Virgin occupied in the popular mind in Ireland at the end of the sixteenth century. The poem entitled, 'Mary and the Earl,' reminds us forcibly of the germ of Canon O'Leary's "Σέαυνα." Keating's poem "Ράιόβηέαζαό αν ραοζελ ρο" is a replica in Διγλινγ of O'Daly's Όάν Όίηεαό—"Λέιζ υοσ' βαιρι α' βεαν αν ρζατάιν."

While the language of these poems is in the main early Modern, the student interested in such matters will notice many peculiarities unfamiliar to the language of to-day. Such are—τί with verbal force, in ζο υτί (11, 15) υά υτί (19, 42), ρυλ υτί (35); aspiration after the present and future relative forms of the copula (passim); ι βροίλε, in which thou art (17); ανμαιν, dat. of αναν (17); βυρ, the future relative form of the copula, μολαό ύυιτ-ρε βυρ ηυαό νόιρ (20); Μίεαλ όρηα ιρ έ βυρ τηέαν (22); the negative νοέα (23); eclipsis after accusative singular, e.g., αρ κόιρ ηοέ (24), αν ταν υο έίφε αν ζυοιρ ηοειρς (41); ρυίλ ηε εαβαιρ ζυυοεαέτα (30); the old neuter plural in cóiζ εμοιθε (24); the S-subjunctive in υά ηόιρην (24); ιοναό (30); υά with the present subjective υά η-αζιλα (38), υά υτί (19, 42).

To ecclesiastical students especially this book will be a God-send. The insipidity of English hymns will stand out vividly after a taste of the beauties of these gems of Celtic art. Father McKenna has earned the gratitude of all students of Irish literature by placing in their hands such a rich treasure-house of the native language, poetry and piety. We heartily congratulate him on this solid pioneer work in the realm of Bardic poetry. We trust we shall not be considered hyper-critical in adding that the translations here and there are inadequate, and sometimes little more than a free paraphrase. A careful analysis of the language and syntax, and a fuller account of the metres employed, would have greatly enhanced the value of the book, from the student's point of view.

Seapóro Ó nualláin.

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## THE NEWLY-REVISED 'MISSAE DEFUNCTORUM'

BY REV. J. B. O'CONNELL

THE most recent revision of the Liturgical Books was begun in 1911, when the Bull, *Divino afflatu*, of Pius X inaugurated the reform of the Divine Office, and effected, in consequence, an extensive revision of the Roman Breviary. In 1913 came the revision of the Roman Martyrology and the Roman Ritual, and just at present the Holy See, in the pages of the *Acta Apostolicae Sedis*, announces the publication at the end of this year of the newly-revised Roman Missal.

The first part of this Missal to be issued to the public is the typical edition of the Mass book for exsequal functions entitled *Missae Defunctorum ex Missali Romano Desumptae, accedit Ritus absolutionis pro defunctis*, which has just been published by the Vatican Press.

In no part of practical, as contrasted with historical, liturgy was the rubricist confronted with more difficulties and insoluble problems than in the part *de Exsequiis*. The rules for dead Masses and the burial services were found scattered up and down through the pages of the Roman Missal, the Breviary, *Caeremoniale Episcoporum*, and Ritual. In no one place were they fully or clearly set forth. The rubric in one place was either supplementary or, apparently, in contradiction to that in another. Adding to the confusion came decisions at intervals from the Congregation of Sacred Rites, the effect of which was that with no one book could the full exsequal services be carried out, but only with the combined aid of the Missal and Ritual—one supplying one part of the function, the second the other, the decrees of the Congregation giving some light for the interpretation of both.

The new typical edition of the Roman Ritual, issued in 1913, gave little or no assistance in solving the many

problems that beset liturgists in connexion with this part of the Sacred Liturgy. It left the old difficulties practically untouched.

Not so the part of the new Missal which has just been issued. It faces the problems which centuries of liturgical practice have created, and goes a long way towards furnishing a solution of them.

A careful study of the many changes embodied in the new *Missae Defunctorum* shows (a) a greater liberality in the extension of privileges (e.g., the 'privileged days' for anniversary Masses); (b) the desire, on the one hand, to make the rubrics more explicit, and to determine satisfactorily practical points that were doubtful in them; on the other, to render them less involved, less complicated in detail. Greater simplicity is the most marked feature of the new rubrics.

The new Dead Mass book opens with the Apostolic Constitution, *Incruentum Altaris Sacrificium*, of August 10, 1915, by which Benedict XV granted the great privilege of celebrating three Masses on All Souls' Day.

This is followed by two pages of general rubrics divided into three sections: (I) *Ex Rubricis generalibus Missalis*. (II) *Ex additionibus et variationibus in rubricis Missalis ad normam bullae 'Divino afflatu.'* (III) *De Ritu Servando in celebratione Missae pro defunctis.*

The first section embodies five rubrics concerning dead Masses, taken—unchanged—from the general rubrics at the beginning of the old Roman Missal; the third, the rules for the celebration of Masses for the Dead, found in the last chapter (xiii) of *Ritus celebrandi Missam* at the beginning of the Roman Missal. Here, too, no change has been made.

The second section sets forth the general laws governing the celebration of dead Masses (the days on which they are permitted, etc.), and embodies a number of important changes—all making for greater simplicity and freedom. A detailed examination of the more important new features of this section will be useful:—

§ 1 embodies the privilege of celebrating three Masses on November 2.

§§ 2 and 3 deal with the substitution of a Mass for the dead for the Conventual Mass on certain days, and with the prayer *Fidelium* for the dead. On the first day of the month (outside Advent, Lent and Paschal time), on which a ferial office is said, in all private Masses



(which are not for the dead) the prayer *Fidelium* is to be added, in the last place but one, among *all* prayers and collects. This latter part is an innovation, as the former rule was that this prayer was to be added in the last place but one among the prayers *prescribed by the rubrics*, not taking account of *orationes imperatae* nor of prayers added at the option of the celebrant.

§ 4 deals with the exsequal Mass on the day of death or burial. No change has been made regarding the days on which this Mass is prohibited, but the changes previously made by the Bull *Divino afflatu* and subsequent legislation are, of course, embodied in the present rubric. Two new additions, however, appear in the second part of this paragraph: (i) Whenever the exsequal Mass for the day of death or burial is impeded by the rubrics, it may be transferred to the nearest day not similarly impeded. (ii) Provision is made for the occurrence of a funeral on November 2. In this case the first of the three Masses assigned for All Souls' Day is to be said, adding to the prayer of the Mass, under one conclusion, the prayer for the deceased person *in die obitus*. If, however, the first Mass on November 2 be solemnly celebrated, the second or third Mass is to be said, with the prayer for the deceased added to that of the Mass under one conclusion.

§ 5 concerns *private* Requiem Masses *in die aut pro die obitus*, and, apparently, introduces two changes: (a) in churches and public oratories, such private requiem Masses are allowed *only* on the day of the funeral (and not during the whole period that the body is present); (b) while, formerly, these Masses were prohibited on Sundays and holidays of obligation, doubles of the first and second classes, and days excluding doubles of the first class, they are now prohibited in addition on *all* privileged vigils, ferias and octaves (and not merely on those excluding doubles of the first class).<sup>1</sup>

§§ 5, 6 and 7 dealing with the days, other than those of death or burial, which are privileged in regard to Mass for the dead, introduce important changes, by extending the privilege both in regard to the quality of the Mass and to the days on which departure from the Mass of the day is allowed. According to the new rubrics one Mass, either a solemn or low Mass, is allowed on the 3rd, 7th, 30th and anniversary days (reckoned from the day of death or burial), and on the first day after the receipt

of the news of the death, and one solemn (only) Mass is allowed on anniversaries in the wide sense (i.e., days, outside the real anniversary day, on which a foundation Mass is fixed; or the day, on which the anniversary of the dead of any corporate body is observed), and within the octave of All Souls' Day, provided a Sunday or holiday of obligation, November 2, a double of the first or second class, or a privileged vigil, feria, or octave does not occur. Accordingly, while, formerly, the privilege attached to these special days was more extensive for some than for others, it is equally extensive for all 'privileged' days now.

§ 8 treats of Masses in the chapels of cemeteries, and embodies decisions given in Decrees 3,944 and 4,096 of the Congregation of Rites.

*Missae quotidianae defunctorum* are dealt with in § 9, and two notable additions have been made to the days on which these Masses were, hitherto, prohibited. They are not allowed any longer on the ferias of the Greater Antiphons (December 17-23), nor on simple octave days (e.g., octave day of St. Stephen, January 2).

§§ 10 and 11, concerning the prayers and the Sequence in dead Masses, do not embody any fresh changes.

The last paragraph (§ 12) of this section of the preliminary rubrics co-ordinates a number of scattered decisions of the Congregation of Sacred Rites regarding certain accidental events (e.g., occurrence of solemn Exposition of Blessed Sacrament—*Missa pro populo*) or circumstances (e.g., blessing of ashes in a church where there is only one Mass) which prevent Requiem Masses being celebrated. Two points which are new are to be noted, i.e., that dead Masses (even the exsequial Mass on the day of burial) are prohibited on February 2 and Palm Sunday in a church in which the blessing of candles or palms takes place and there is only one Mass.

Following the preliminary general rubrics comes the *Ordo Missae* embodying fully the special points proper to Masses of the dead. The new Preface for dead Masses (with its music) is, of course, given in this part. Up to the beginning of the Canon there is no change (excepting a slight difference in the mere wording of a rubric or two) in the rubrics of the *Ordo Missae*, but the Canon—especially the part after the Consecration—contains quite a number of small changes. The character of these changes is not to introduce anything really new, but to make more



explicit and clear the former rubrics ; and this is done, in almost every case, by expanding the existing rubric by the addition of words taken from the corresponding rubric in the *Ritus Celebrandi Missam* at the beginning of the Missal.

The rubric for the *Te igitur* has been slightly modified, and this modification is of much interest to rubricists. Hitherto one of the difficulties of the rubrics of the Mass was the apparent (probably, real) discrepancy between the rubric of the *Ritus* and that of the *Ordo*, concerning the movement of the hands at the beginning of the *Gloria in excelsis*, *Credo* and *Te igitur*. The rule given by liturgists was that, in case of discrepancy between the rubric of the *Ritus* and that of the *Ordo*, the former, being the more detailed and explicit, was to be followed. The new rubric for the *Te igitur* conforms to that of the *Ordo*, rather than to that of the *Ritus* (though in this case there never was as much discrepancy between the two as in the case of the *Gloria* and *Credo*), and it will be interesting to see, when the complete new Missal appears, whether this direction for the movement of the hands before the *Te igitur* will be adopted for the *Gloria* and *Credo*, thus terminating all discrepancy between the different cases, and that between the rubrics of the *Ritus* and *Ordo* in each case.

One of the minor changes in the rubrics of the Canon which is most frequent is the more explicit determination of the tone of voice in which any particular part is said. Thus, e.g., *intelligibili voce* has been added to the rubric concerning the *per omnia saecula* immediately preceding the *Pater Noster* and that before *Pax Domini*, to the rubric concerning the *Agnus Dei*, etc.; *secrete* has been inserted in the rubric dealing with the *Libera*, the prayers following the *Agnus Dei*, the *Placeat*, etc.

One point in the rubrics which, apparently, has not been more explicitly determined than it had hitherto been, is the question of reverences (whether profound, moderate or simple, of the body or of the head).

The rubric regarding the last Gospel is more explicit than even that found in the *Ritus*.

Following the *Ordo Missae* come the six Masses of the dead—the three for All Souls' Day, the one on the day of death and burial, the anniversary Mass, and the daily Mass of the dead.

The rubrics of the three Masses, given *in extenso*, for November 2, embody the legislation contained in the Apostolic Constitution, *Incrumentum Altaris Sacrificium* (August 10, 1915), and in the immediately subsequent decree of the Congregation of Sacred Rites (August 11, 1915). After the Secret of the first Mass, part of the instruction of the Congregation of Sacred Rites of September 12, 1857, concerning bination, has been embodied in a new rubric, in so far as it is applicable to the case of All Souls' Day, and gives directions concerning the purification of the chalice and the priest's fingers at the first and second Masses. A new rubric, inserted after the Offertory of the second Mass, gives the second part of this instruction, i.e., the rules to be observed at the Offertory of the second and third Masses, when the priest has to use an unpurified chalice.

A rubric at the end of the third Mass on November 2 directs the first of the Masses of All Souls' Day to be used (with the prayer proper to each different case) on the day of death or burial, or on the anniversary day, in the case of a deceased Pope, Cardinal, Bishop or Priest. Formerly, according to Decree 2,417 (ad 8) of the Congregation of Sacred Rites, either this first Mass or the Mass *in die obitus* (at that time the second among the Requiem Masses) was to be said in the case of a priest—now, apparently, only the first Mass is to be used in this case.

In the prayers of the different Masses, the feminine form of the prayer is, where necessary, assigned. Formerly the prayers in the anniversary Mass were given in the plural, with a rubric at the end of the Mass directing the singular to be used in the case of Mass for one person. This arrangement was frequently inconvenient, and now the prayers are given in the masculine singular with changes in gender and number indicated in brackets. In future, too, the name of the deceased is to be mentioned in the prayers of this anniversary Mass.

In the Missal hitherto in use, a rubric at the end of the Masses for the dead allowed the Epistle and Gospel of any one Mass to be used in any of the other Requiem Masses. This rubric does not appear in the new *Missae Defunctorum*, and therefore, presumably, this privilege of the interchange of Epistles and Gospels has been withdrawn.



After the six different Requiem Masses comes the *Orationes Diversae pro Defunctis* (seventeen in number), which are unchanged, except (i) that the three prayers for deceased cardinals are somewhat differently assigned—the first of these is to be said for a Cardinal Bishop or a Cardinal Priest who was a bishop; the second for a Cardinal Priest who was not a bishop, and for a Cardinal Deacon who was a priest; the third for a Cardinal Deacon who was not a priest; (ii) that in the prayer *pro uno defuncto*, or in that *pro una defuncta*, the name of the deceased is to be inserted.

Next comes a section entitled *Absolutio super Tumulum*, and it is in this part that the greatest and most welcome changes have been made. Hitherto the special Mass book for exsequial functions gave three forms of the Absolution—(A) *Ritus Absolutionis post Missam pro Defunctis*, taken from the end of the *Ritus Celebrandi* of the Missal (xiii. 4). (B) *Ritus Absolutionis in Exsequiis praesente Corpore Defuncti (ex Rituali Romano)*. (C) *Ritus Absolutionis in Exsequiis absente Corpore Defuncti et in die 3°, 7°, 30° et anniversario (ex Rituali Romano)*; and, following these forms came (a) *Orationes Diversae pro Defunctis in Absolutione supra Tumulum pro varia temporum opportunitate dicendae*; (b) the prayers *Pro Ordinibus et Congregationibus*; (c) *Ritus Absolutionis . . . ab Episcopo vel Praelato Faciendae (juxta Pontificale Romanum)*.

In the new book of Masses for the dead, sections (a), (b) and (c) are omitted; and the three forms of the Absolution (A, B, C) are united into one form, entitled *Absolutio super Tumulum*.

Formerly the different forms of the Absolution gave rise to much difficulty and confusion. Form (A), from *Ritus Celebrandi* (xiii. 4), contained no express direction as to when it was to be used, but from the clause *si facienda est Absolutio* in the opening rubric, from the absence of all reference to the *Non intres* and other indications, it was pretty clear that it was a form of the Absolution for use when the body was not present. The Roman Ritual contains another form for this occasion [form (c) above], and these two forms were not in agreement. Furthermore, neither form contained the concluding *anima ejus, De profundis*, etc., prescribed by Decrees 1,743 (ad 7), 2,694, 3,267, 4,014, 4,081 (ad 3) of the Congregation of Rites. In like manner the form of the Absolution when the body is present, given

in the Roman Ritual [form (B) above], contained rubrics at variance with the directions of the Missal and *Caeremoniale Episcoporum* in similar cases, and, like forms (A) and (C), did not conclude (at all events, explicitly) as the Decrees of the Congregation of Rites required.

These and like difficulties have, in the past, been the despair of liturgists dealing with the question of the Absolution. How heartily they will welcome the order and simplicity introduced by the new rubrics!

Only one form of the Absolution is found in the new *Missae Defunctorum*, and the rubrics embodied in it show that it is to be used both when the body is present and absent—in the latter case with two modifications (i) the *Non intres* is omitted, (ii) the prayer *Absolve*,<sup>1</sup> or that of the Mass, or any other suitable prayer, may be said (while when the body is present the prayer *Deus, cui proprium* is prescribed). Apart from these two points, there is now no difference whatever between the form of the Absolution when the body is present and absent.

The form of the Absolution now prescribed is made up of the union of the form hitherto given in the Missal with those found in the Roman Ritual—part of the rubrics being taken from the *Ritus Celebrandi* (xiii. 4), part from the Roman Ritual (Tit. vi. c.c. 3 and 5). In addition, its conclusion is in accordance with the Decrees of the Congregation of Rites enumerated above, embodying the versicle *anima ejus*, the psalm *De profundis*, and the final versicles and prayer *Fidelium*. One point in this conclusion is of special interest. When the new typical edition of the Roman Ritual appeared in 1913, liturgists were surprised to notice that at the end of the chapter *Exsequiarum Ordo* (§ 15), in directing that the psalm *De profundis* should be said when returning from the grave, the concluding verse was given *in the singular* (*Requiem aeternam dona ei*). This was counter to the teaching of all rubricists up to that time, for the traditional doctrine was

<sup>1</sup> Two different forms of this prayer *Absolve* have hitherto been in use—one being found in the Missal (*Ritus Celebrandi*, xiii. 4), the other in the Roman Ritual (Tit. vi. c. 5) in the form of Absolution when the body is absent. The new rubrics have embodied the form found in the Missal, not that found in the Ritual. With the exception of this point, it is a matter of great satisfaction to the present writer to be able to state that the *Rituale Parvum*, recently edited by him, will be found in its chapters *de Exsequiis* in entire conformity with the changes introduced by the new rubrics, which are the subject of this article.



that the concluding psalm was for the souls of all the faithful departed. Some liturgists believed that this singular form was a misprint, but as the edition was typical and, therefore, fully authentic, they needs must await in silence the vindication of their view. That vindication has now come, as the new rubrics expressly indicate that the plural form is to be used.

Following the prayer *Deus, cui proprium*, in the form of the Absolution found in the Roman Ritual, when the body is present, is a rubric directing the word *Sacerdotis* to be inserted after *famuli tui* in the prayer, when the Absolution is for a priest. This rubric is not found in the new form of the Absolution.

In the last place in the *Missae Defunctorum* comes *Appendix e Rituali Romano*, which contains the actual burial service, beginning with *In paradisum*, immediately after the prayer of the Absolution. With the exception of (a) the omission of the rubric giving the singular form of the clause *et quorum . . . corpora* in the prayer for the blessing of the grave when the latter is for one body only, (b) the explicit direction that the concluding prayers are to be said in the plural, the burial service is quite the same as that found in the typical edition of the Roman Ritual.

J. B. O'CONNELL.

# THE MEMORY OF THE DEAD

BY REV. E. J. QUIGLEY

IN the Apostolic Constitution, *Incrumentum altaris sacrificium*, of August, 1915, our Holy Father Pope Benedict XV wrote that he was urged to grant the privilege of the three Masses on All Souls' Day by the petitions from many lands, and also by his own special love for the suffering souls, for whom he entertained a special love from his boyhood.

To a grateful world, he has given in this year 1919, a new solemn preface, to be said in all Masses of the Departed. The addition of a new preface to the eleven in the Roman Missal is a notable step in liturgical prayer and practice. For ten of the prefaces are of very ancient date, and the last preface, the preface of the Blessed Virgin Mass, was composed and sung for the first time by Pope Urban II (1088-1099). The latest preface is a prayer of great beauty, and suits well the notes of sorrow and of hope which sound in every Mass for the dead. Many readers have noted its merits. They appear better, perhaps, in translation :—

It is truly meet and just, right and availing unto salvation, that we should at all times and in all places give thanks to Thee, Holy Lord, Father Almighty, everlasting God, through Christ Our Lord. In whom the hope of a blessed resurrection has shown forth to us, and the promise of future immortality consoles those who are saddened by the certain lot of dying. For to Thy faithful, O Lord, life is changed, not taken away, and while the earthly house of this habitation is dissolved, an eternal dwelling place in the heavens is being prepared. And, therefore, with Thy angels and archangels, with thrones and dominations, and with the whole army of the heavenly host we sing a hymn to Thy glory, saying, unceasingly, Holy . . .

The reading of this translation and of these my words, perhaps, may enable us to fulfil the old Celtic ideal of priestly prayer for the dead. For, the Celtic ideal was expressed by St. Columba, when he enjoined his monks to display 'fervour in singing the office for the dead, as if every dead person was a particular friend of theirs.'<sup>1</sup>

<sup>1</sup> Regula S. Co'umbae, sect. 13.



This reference to the old Irish Church reminds us that a learned and well-known man, Sir James Frazer, in his *Golden Bough*, argues with great display of references to many literatures, that the great Feast of All Souls is of Celtic and pagan origin. Sir James holds that this Christian feast is nothing but a refined survival of an ancient Celtic festival, which was celebrated with many barbarous superstitions and heathenish observances. The festival was popular and had spread to many lands, so that this scholar writes that ecclesiastical authority 'being unable to suppress it, was at length induced to connive at it.' Irish priests rejoice in all that tends to the honour of God and the glory of Ireland. Unhappily, the thesis maintaining the pagan origin of this feast cannot be maintained.<sup>1</sup> Even if the thesis could be maintained there is nothing in such origin, transference and sanctification to shock Christian sentiment. For, history narrates how temples became churches, and how saints planned and timed holy processions and services on days of pagan revels, sacrifices and sports, to attract the multitude, to retain the weak, to allow harmless recreation, whilst forbidding and preventing pagan rites and ceremonies.

Hence, priests are quite safe in holding with the makers of text-books that the Feast of All Souls was established by the Abbot Odilo in 998. I quote from such a text-book :—

The pious duty of prayer for the departed (2 Mach. xii. 46) finds expression in private and public devotions. The public prayers usually take place on stated days, i.e., the day of the death, the seventh and thirtieth day after death, and the anniversary ; the observance of these devotions is left in the hands of the relatives and friends of the deceased. The religious Orders began at an early date to observe these pious customs, with regard to their own departed members. Besides this, for the last thousand years, a particular day in the year has been set apart for the commemoration of all the departed in general ; this was the 2nd November . . . The impulse which led to its introduction into the ritual of the Church came from Cluny, for in 998 the Abbot Odilo issued an ordinance to this effect (the so-called Statutum S. Odilonis pro Defunctis, *Migne Pat. Lat.* cxlii. 1038) to all the monasteries of his congregation. In this it was directed that in all monasteries of the Order on the 1st November, after vespers, the bell should be tolled and the Office of the Dead recited, and on the next day all the priests of the congregation were to say *Mass* for the repose of the faithful departed.<sup>2</sup>

<sup>1</sup> See Father Thurston's *The Memory of Our Dead*, pp. 102-104.

<sup>2</sup> Kellner, *Heortology*, chap. ii. 12.

Dr. Kellner in the above passage states: 'The public prayers usually take place on stated days, i.e., the day of the death, the seventh, the thirtieth day after death, and the anniversary.' Why were these days selected? Why were special services and Masses named for the third, the seventh, the thirtieth day, rather than for the fifth and thirteenth and fortieth day? In the Roman Missal there stand Masses, *In Die Obitus seu Depositionis*; *In Anniversario Defunctorum*, *In Missis Quotidianis*, and the extremely accurate compilers of the Irish *Ordo Divini Officii Recitandi* (on page xiii) call these days—the third the seventh and the thirtieth day—privileged days. Why were they selected for privileges? They have long been observed as special days for requiem offices and Masses. St. Theodore of Canterbury, who died in 690, wrote in his canons: 'On the first, the third, the ninth and also the thirtieth day let Mass be celebrated for them.' It is quite probable that the fixing of these days for requiem rites is a survival of pre-Christian times. For, it is hard not to see some connexion between the pre-Christian and the Christian use, when the mention of these very days is found in classical authors, living and describing the funeral rites of their day, long before the birth of Christ.

A look into a classical dictionary, such as Seyffert's or Smith's, finds Greek usage before the birth of Our Lord: 'On the third, ninth and thirtieth day after the funeral, libations of honey, wine, oil, and milk or water, with other offerings, were brought to the tomb. . . . The kinsfolk visited the graves . . . more especially on the anniversaries of births and deaths. . . . The outward signs of mourning were laid side at Athens on the thirtieth day.' Surely there must be some connexion between these days of paganism and Christianity. But Christianity mentioned generally, but not always, the seventh, not the ninth day; how arose the divergence?

The fact is that for the old Greeks and Romans the week as a measure of time did not exist. It was introduced into pagan Rome, seemingly from Alexandria, about the second century after Christ. Consequently from the earliest times the Greeks and the Romans, too, in their *novendiali* had kept a nine-day period of special mourning. When the week was introduced, and the weight of Christian authority and practice was added to it, there was probably for some time confusion and diversity of usage, but in the end the seven-day period prevailed. There can be little doubt, however, that we still retain a survival of the old nine-day



arrangement in the *novendiali* observed in the obsequies of a Pope, and possibly also in the *novena*, which is the familiar period of our protracted prayers of special intercession.<sup>1</sup>

The thirtieth day is in this country known as the month's mind. It is of ancient custom, and even in times of persecution was celebrated in Ireland. Sir Henry Piers, in his *Description of West Meath* (1682), tells how, 'After the day of interment of a great personage they count four weeks, and that day four weeks all priests and friars and all gentry, far and near, are invited to a great feast, usually termed the month's mind.' In England, in Catholic times, the wills of the time bequeath sums of money, stipends for Masses, alms to poor, and to buy meat and bread for the mourners. Thus Robert Fabyan, whose will bears date 1511, gave directions to his executrix: 'And agenst my moneths mynde I will there be ordered at the said church, competent brede, ale, pieces of beeffe and moton and rost rybbys of beeffe as shall be thought needful by the discretion of myn Executrice for all comers to the said obsequy.' Such bequests are very common in the old English wills. And such a will as the following by the Earl of Worcester in 1524 is not uncommon: 'I will that no month's mind dinner shall be kept for me, but only an obit of an hundred Masses to be said for me at Windsor.' In England for centuries the singing of dirges and Mass was impossible. The practice of having Masses or feasts on the thirtieth day died out very early in Reformation days. But the words, 'a month's mind,' hung on in English speech for centuries. They retained their meaning partially, but the pious practices of Mass and alms were quite forgotten.

Now in Catholic England the month's mind was sometimes the last Mass in a series of thirty, which made up the trental of St. Gregory. The concluding service was one of solemnity, and there was a pious belief that on the celebration of the final Mass of the thirty, said on each successive day of the month, that the suffering soul was relieved and released. The relatives in anxiety and sorrow importuned Heaven for the repose of the soul, and longed for the day of its release; whilst the mourners longed for the month's mind which brought to some alms and to all good cheer, as witness the thoughtful kindness of the

<sup>1</sup> Thurston, *op. cit.*, p. 138.

testators quoted above. Hence we find in Shakespeare (1564–1616), who lived during the early days of the Reformation, the words month's mind used to express no sacred ceremonies, but merely ardent longing, mental importunity. Thus Julia, coveting some letters, says to her maid: 'I see you have a month's mind to them.'<sup>1</sup> Again, Lyly (1578), in his *Euphues and his England*, says that Euphues determined 'to end his life in Athens although he had a month's mind to England.' And in Sir Walter Scott's (1728–1811) *Diary* stands the passage: 'I had a month's mind—but was afraid of the newspapers.'

It is needless to write about the beginnings of Mass and prayers for the departed. Text-books in Church history, liturgy and archaeology supply abundant proof, texts and details of the antiquity of the devotion and of its growth.

With the saints of Ireland the memory of the dead was a special duty. When St. Gall was informed of the death of St. Columbanus he forthwith gave orders to enable him to offer Mass at once for the repose of the departed saint.<sup>2</sup> And St. Columba hearing of the same saint's death hastened to show his love for his departed friend by celebrating Mass.<sup>3</sup> Diptychs containing the names of the deceased were brought by a deacon to the celebrant, and their contents were read aloud by him during the offertory. A special penance was assigned to the deacon who forgot this part of his duty.<sup>4</sup> This recitation of names was followed by an anthem called the *Deprecatio*. It contained an enumeration of the names of those departed saints for whose repose the prayers of the congregation were requested, and of those by whose intercessions such prayers would aid it. This anthem, in the Mass at Iona, ended with the name of St. Martin, and one day St. Columba, as celebrant, turned to the chanters and bade them add the name of Columbanus: 'Tunc, omnes qui inerant fratres intelligere quod Columbanus, episcopus Lagenensis carus Columbae amicus ad Dominum emigraverit.'<sup>5</sup> The letter of association or agreement drawn up between the monasteries of St. Gall and Reichenau about the year 800 is typical of the arrangements made

<sup>1</sup> *Two Gentlemen of Verona*, Act I., Scene 2.

<sup>2</sup> Walafrido Strabo, *Vita B. Galli*, 1, cap. xxvi.

<sup>3</sup> Adam, *Vita S. Col.*, iii. 12.

<sup>4</sup> Cuminius, *De Mens. Penitent*, c. xiii.

<sup>5</sup> Adam, *Vita S. Columbae*, iii. 12.



between communities of long ago. It prescribes that when the news of the death of a monk reached the members of another monastery, (a) all priest-monks should say three Masses on that day for the soul of the deceased; and those not in priest's orders should recite the Psalter and sing the night offices for the same intention. (b) A week afterwards thirty psalms were to be recited. (c) On the thirtieth day each priest again said Mass for deceased. (d) At the beginning of each month the Office of the Dead was to be said by each community, with a special commemoration for the soul of the most recently deceased monk. (e) Both monasteries were to have a solemn anniversary service on 14th December, when each priest said three Masses. From such agreements the number of Masses in a single day in a monastery must have been very large indeed, and hence legislation restricted the numbers. Thus Theodore of Canterbury ordered only two or three Masses to be said at the death of a priest. But the practice of saying five or seven Masses daily was not unheard of in times long ago.<sup>1</sup>

Even in Ireland holy and earnest men may have said, through zeal and charity for the suffering souls, two or three Masses daily. But the practice led to abuses; and in the Provincial Synod of Armagh held at Killoe, Co. Longford, the following enactment was issued:—

Cum audiamus aliquos de utroque clero in provincia Dubliniensi diebus Dominicis et festivis ter eodem die celebrare et subinde bis diebus ferialibus ne malleum illud et inusitata praxis in nostram provinciam serpat, statuimus et ordinamus quod nullus in nostra jurisdictione audeat aut præsumat celebrare ultra secundum sacrum diebus Dominicis et festivis: et hoc ipsum indulgemus tantum curam animarum habentibus, idque urgente necessitate; in ferialibus autem nullus præsumat secundum sacrum celebrare sub paena suspensionis.<sup>2</sup>

But the privilege of saying three Masses on All Souls' Day was not a renewal of an old privilege, nor have the three Masses on All Souls' Day any parity with the three Masses of Christmas Day. The practice of saying three Masses on All Souls' Day is recorded of the religious Orders in the diocese of Valencia in Spain in 1658. The secular priests said only two Masses, and the Jesuits followed the practice of the seculars. The practice dated in that diocese before 1553, and it was stated that Pope Julius III

<sup>1</sup> See Thurston, *op. cit.* p. 63.

<sup>2</sup> Monahan, *Records of Ardagh and Clonmacnoise*, p. 29.

had 'approved of the custom.' But such approval is doubtful. The practice arose from the wishes and requests of the religious Orders, especially of the Dominicans and the Franciscans, who having so many illustrious dead buried in their convent precincts, felt bound to ask an extension of the privilege granted to secular priests, who were allowed to say two Masses on this feast day. Here are the words of Bishop Crespi, O.P. (in 1658):—

I imagine that the Convent of the Dominicans at Valencia was probably the first to obtain permission to say three Masses on the one day, and simply for this reason that within that convent were buried a multitude of people pre-eminent both in number and in quality. At the time when this custom arose, the handful of friars resident there was far too small to cope with the demands made upon them. And this much I know from experience that though in my time there were many more priests, and though all were permitted to say three Masses, it was still necessary to get religious of other Orders to come in from outside to say their Masses with us in order that we might discharge the obligations of that day.

The privilege of saying three Masses on one day was extended by Benedict XIV from Aragon to all Spain, and to all Portugal in 1748; it was granted to all nations by Benedict XV in 1915.

It was mentioned above that the death of St. Columbanus was made known to St. Columba, in distant Iona, by some supernatural means. The deaths of the great, of friend and stranger, are made known in modern civilization by obituary notices in newspapers. The telegraph and the postal delivery bring such news quickly to friends and relatives of the departed. But how was such information conveyed before the advent of the newspaper, the telegraph or the cheap postal service? News of all kinds travelled slowly. The news of the Waterloo victory took almost a fortnight to reach English villages. The news of the passing of Emancipation for Ireland did not reach parishes in the north of the island for ten days. And death being such a sad, common, everyday thing was very often allowed to pass in silence, so that relatives and friends twenty miles distant were left in ignorance of the death of friend or relative. There was no quick, safe way of sending such messages.

But the religious Orders adopted a plan which was very simple and very popular. They instituted associations for mutual prayer for the members of their Orders, and for those who were benefactors or who begged a



remembrance in their holy prayers and Masses. Hence, periodically, a messenger was sent out with a long strip of parchment bearing the names of those who had died in his community since his previous visit to the associated convent. This roll was copied into the roll of the convent visited, and laid on the high altar of the church when Mass was said. To the messenger's roll were added the names of those dead for whom the religious sought prayers. Sometimes the entries were brief: 'In the name of Christian charity we beg prayers for the soul of —— priest and sacristan of our monastery. We in turn will pray for your dead.' Sometimes these requests were elaborate and naive. To the superioress of a community of nuns, Sinbert, Bishop and Abbot, wrote:—

Let your honeyed charity (*melliflua charitas*) be hereby advertised that your brother so and so, on such a day, has departed this life. . . . Wherefore we most earnestly implore your motherly tenderness (*almitatem vestram*) that you will give order that such provision be made for his soul by Mass and Psalms as your immense goodness is wont to do. We hope that you may ever thrive.<sup>1</sup>

These parchment rolls sometimes grew to immense proportions; one preserved in Ghent is ninety-seven feet long. It far outshines in size and weight the petitions sent to Parliament from Ulster, but it was more useful and is more interesting. Sometimes messengers were lazy and tricky. Their long journeys of hundreds of miles, tramping from convent to convent, meeting all sorts and conditions of men, and lodging and feeding in all hospitable places did not tend to improve the mind or manners of the *rolligers*, or roll carriers. 'Qui multo vagantur, raro sanctificantur,' says the *Imitation*, and the rolls bear notes from the superiors warning them to feed the *rolliger*, mark, date, and sign with names of the house superior the roll, and despatch the bearer. The untidy man carrying the untidy roll has given probably a word to the English language—the word rigmarole, ragman's roll. From this we see that there is nothing new under the sun; and that the black edged notes sent round by the circles and councils of the St. Vincent de Paul Societies asking prayers for deceased brethren are not novelties but survivals. Again, the practice of sending obituary notices of nuns to convents of their own and of other Orders asking prayers for deceased

<sup>1</sup> Quoted in Father Thurston's book, p. 73.

nuns was known centuries ago, when the notice, asking the 'immense goodness' of the reverend mother to have Masses offered, was written.

It may help those trying to follow St. Columba's advice about fervour in singing the Office for the Dead to recall portions of their college lectures on liturgy. Some few clerics may have lost those 'notes' they used to write in days of boyhood; others, perhaps, may have forgotten the mental notes then made, and for both the cadence of these sentences may breath the strain wakening thoughts that long have slept, kindling former memory again, in faded brains which long have slept.

The Invitatory.—The invitation addressed to the faithful to come to assist at the Office dates from the times of St. Benedict (480–560). Probably it was originally the chant used to call the monks to choir: 'O, come, let us praise the Lord with joy: let us joyfully sing to God Our Saviour.' It is not found in the very earliest Roman liturgy, which is represented in our service books by the services of the last three days of Holy Week. It began to appear in the Office for the Dead about the year 800. The psalm of the invitatory is attributed by the Septuagint and by the Vulgate to David, as author. Its form in our Matins is slightly different from its form in the Vulgate. The Breviary retains in this one instance the first revision of St. Jerome, whilst the Vulgate has the second, more correct revision. It is well called a message from the saints, from the white-robed army of martyrs, holy confessors, virgins, spouses of Christ, who, for the benefit of their brethren on earth, sing 'O, come let us praise the Lord with joy.'

The lessons of the Office for the Dead varied in different churches:—

In quibusdam enim ecclesiis leguntur novem lectiones de Job et incipiunt Parce mihi domine, etc. . . . In aliis leguntur de libro Sapientiae et incipiunt, Parce mihi domine, etc., In aliis vero de quodam sermone Augustini, sed undecunque sumantur absolute et sine Jube Domine, et sine Tu autem. . . . Verumtamen in quibusdam ecclesiis loco, Tu autem terminantur Beate mortui qui in domino moriuntur.<sup>1</sup>

The Book of Job, from which the lessons of the Office for the Dead are taken, is arranged as a drama, and the various stages in its development may be presented in the

<sup>1</sup> Durandus (1237–1296), *Rationale Divinorum*, chap. xxxv. sects. 33–34.



form of prologue, dialogue, monologue and epilogue. The first lesson, *Parce mihi*, is Job's address to God, when in reply to Eliphaz he declares his innocence. The second lesson is the conclusion of his reply to Baldad. Job said no man is justified before God, but he is puzzled, 'I will say to God, do not condemn me; tell me why Thou judgest me so' (verse 2). In the next lesson he insists on his dependence on and trust in God, his Creator: 'Thou hast granted me life and mercy and Thy visitation hath preserved my spirit.' In these, as in the remaining lessons of the Office, the words of the inspired author impress us with God's wisdom and providence, the relation of evil to God's providence, the sufferings of the just; and above all, the words impress mourners to remember that suffering and sorrow are not signs of sorrow but of divine love. The responds of the lessons are said to be the work of Maurice De Sulby († 1196), Archbishop of Paris. They are things of beauty, of which several writers have written with admiration.

The psalms of [Lauds are especially well chosen to express sorrow and hope. In Lauds of the Office for the Dead there is no hymn. This shows the antiquity of this choir service, which was in existence long before the introduction of hymn singing in public liturgy at Rome. The collects printed in modern liturgical books are very ancient, and appear in very slightly different forms in the old liturgical books of the Celtic Church (e.g., Stowe Missal, sixth century; the Corpus Missal, tenth century).

In Requiem Mass the psalm *Judica* is not said. Because this antiphon and psalm were not said in the Mass till the eleventh century, and the order of Requiem Mass was in a fixed state for centuries previously. Even in the eleventh, twelfth and thirteenth centuries unity of practice did not prevail, and in the manuscripts are found directions for the celebrant: 'Cum accedit ad altare,' 'Dum ingreditur ad altare,' 'Paratus autem venit ad altare dicens,' 'Dum procedit de secretario,' 'Quando ingreditur ad altare *sub silentio* dicat sacerdos *judica*.'

The Introits retain only the antiphons of the long psalms, which found a place in Roman Missals till the end of the twelfth century. Both antiphons and psalms were chosen with great care to suit the festival. Thus

<sup>1</sup> Battifol, *Leçons sur la Messe*, p. 13.

in the complete psalm which formerly formed part of the Introit, the words, 'Blessed is he whom thou has chosen and taken to thee; he shall live in thy courts. We shall be filled with the good things of thy house, holy is thy temple, wonderful thy justice,' are expressive of hope in God's mercy, and comfort in the thought of the heaven where all are filled with the good things of God, whose justice now seems wonderful.

In *Kyrie eleison*, the opening words of a long litany, we have a remnant of a prayer of acclamation. In medieval times each invocation of the litany was repeated, sometimes seven times, sometimes five times. Medieval liturgists say that the threefold repetition—as in our Mass—is to show homage to the Blessed Trinity. It is of interest that in the well-known Missal of sixth-century Ireland, the Stowe Missal, a litany of twenty-one invocations, stands at the very beginning of the Mass. The same litany stands in the St. Gall fragment, and seems to be peculiarly Irish.

The Collects of the Roman Missal have three great characteristics: first, the celebrant never repeats them in his own individual name, but in the name of the whole Church, he says *Oremus*. St. Cyprian explains this rule when he says that liturgical prayer is public and collective, and when we pray, we pray not for one individual, but for all the people. Second, collects—not several of the secret prayers of the Mass—are addressed to God in His eternity and all mightiness, *Deus, Deus, noster, omnipotens et misericors Deus*. Hence, in the Missal prayers (*orationes*) God is never called Father, not even in the prayers where the Son is mentioned. Very few prayers (*orationes*) are addressed to the Son and none to the Holy Ghost. Thirdly, the collects of the Missal are composed on a fixed plan or mode. For, if we take an example from the Mass as offered in memory of the dead, we find (a) 'Fidelium Deus omnium Conditor et Redemptor,' *the invocation*; (b) 'animabus famulorum famularumque tuarum . . .,' *the motive*; (c) 'ut indulgentiam . . . consequantur,' *the petition*; (d) 'Qui vivis et regnas . . . Amen,' *the conclusion*.<sup>1</sup>

Of the sequence in the Masses of Requiem it is unnecessary to write, so many have written lovingly and learnedly of it; it has had so many admirers, imitators

<sup>1</sup> Cf. Dr. Fortescue, *The Mass*, pp. 249–254; Father Lucas, *Holy Mass*, i. 67–69; Battifol, op. cit., p. 124.



and translators that words on the *Dies Irae* are superfluous. However, these notes may recall to clerical readers what they have read so often long ago. Of all the Latin hymns of the Church this has the widest fame, for as Daniel<sup>1</sup> has truly remarked: 'Etiam illi quibus Latini Ecclesiae hymni prorsus ignoti sunt, hunc certe norunt, et si qui inveniuntur ab humanitate jam alieni ut carminum sacrorum suavitatem nihil omnino sentiant, ad hunc certum hymnum cujus quot sunt verba, tot tonitura, animum advertunt.' Goethe's use of it in his *Faust* has made it known to many outside the Catholic Church. Sir Walter Scott loved this hymn above all others—in life, often repeating it; in death, murmuring it with his failing breath. The love of two such men of genius, two noble poets, is typical of the love and veneration in which it is held universally. Scores of poets, real and alleged, have essayed to translate it into every European language. Nor is it hard to account for the popularity of this hymn written by the Franciscan, Thomas of Celano, the companion and biographer of St. Francis of Assisi (1182–1226). The metre so grandly devised, of which I remember no other example, fitted though it has here shown itself for bringing out some of the noblest powers of the Latin language—the solemn effect of triple rhyme, which has been likened to blow following blow of the hammer on the anvil—the confidence of the poet in the universal interest of his theme, a confidence which has made him set out his matter with so majestic and unadorned a plainness as at once to be intelligible to all—these merits with many more have given the *Dies Irae* a foremost place among the masterpieces of sacred song.<sup>2</sup>

Those who take an interest in good poetic translation can find several good translations of the *Dies Irae* in Orby Shipley's *Annus Sanctus*. Judge O'Hagan translates *Liber scriptus proferetur* :—

Open, then, with all recorded,  
Stands the book from whence awarded,  
Doom shall pass with deed accorded.

When the Judge is throned in session  
All things hid shall find confession,  
Unavenged be no transgression.

<sup>1</sup> *Thesaur. Hymnol.*, vol. ii. p. 103.

<sup>2</sup> Cf. Trench, *Sacred Latin Poetry*, p. 302.

And Prior Aylward, O.P., renders the same verses :

And lo, the written book appears,  
Which all that faithful record bears  
From whence the world its sentence hears.

The Lord of judgment sits him down,  
And every secret thing makes known ;  
No crime escapes his vengeful frown.

And the poet Crashaw (1613-1649) translates the verses :

O that Book ! whose leaves so bright  
Will set the World in severe light.  
O that Judge ! Whose hand, Whose eye  
None can endure ; yet none can fly.

Ah, then, poor soul, what wilt thou say ?  
And to what patron choose to pray ?  
When stars themselves shall stagger, and  
The most firm foot no more can stand.

Readers may compare and judge these efforts from the samples given. Probably, O'Hagan's is best on all points.

The Offertory prayer, 'Domine Jesu Christe, Rex gloriæ libera animas . . . ne cadaut in obscurum : sed sanctus Michael representat eas in lucem sanctam. Quam olim Abrahæ promisisti' is the same for all the Requiem Masses of the Missal. It is of great antiquity, and is interesting as showing that at a very early date in the Christian Church St. Michael and Abraham were in some remarkable way connected in men's minds with the repose of souls. In a work, which developed probably from some second century writing, and which now bears the title of the 'Testament of Abraham,' we read a passage having an interesting bearing on the early origin of prayer for the dead. This passage shows, too, the blending of the Jewish and Christian influences and their joint testimony to the power of St. Michael :—

And Abraham said to Michael, the chief captain, 'My Lord, the chief captain, the soul which the angel held in his hand, why was it adjudged to be set in the midst ?' The chief captain said, 'Listen, righteous Abraham ; because the judge found its sins and its righteousness equal, he neither committed it to judgment nor to be saved, until the judge of all shall come.' Abraham said to the chief captain, 'Come hither, chief captain, Michael, let us make prayer for this soul, and see whether God will hear us. . . . [They prayed and the soul was taken to heaven.] . . . And Abraham said to the chief captain, 'I beseech thee, Archangel, hearken to my prayer, and let us yet call upon the Lord and supplicate His compassion and entreat His mercy, for the souls of sinners whom I



formerly in my anger cursed and destroyed, whom the earth destroyed and the wild beasts tore in pieces and the fire consumed through my words. Now I know I have sinned before the Lord Our God . . . come let us call upon God with tears that He may forgive my sin and grant them to me.'

They prayed, and after a long time a voice from heaven said, 'Abraham, I have hearkened to thy voice and to thy prayer and forgive thee thy sin and those whom thou thinkest that I destroyed I have called up and brought them into life by my exceeding kindness, because for a season I have requited them in judgment, and those whom I destroy living upon earth I will not requite in death.'<sup>1</sup>

The extract shows the antiquity of this prayer, *Domine Jesu Christe*, and points to its origin. It was composed by some one believing in the efficacy of prayer for the dead, and recalled to the people who heard the chanted words the Jewish and Christian legends of Abraham and Michael.

The question of the Roman Canon is very intricate, and so much has been written about it that even experts are bewildered by the new discoveries and theories of other experts and liturgical scholars. About the Memento for the Dead three things may be noted: (a) the Memento for the Living and the Memento for the Dead perhaps are insertions on a pre-existing text; (b) that they originally followed each other immediately;<sup>2</sup> (c) both these prayers may have been said not in the Canon in the early Church, but at the Offertory. But when the transference and the separation took place is a matter of doubt.<sup>3</sup>

Mr. E. Bishop's words<sup>4</sup> are typical of much of the learning and industry employed in the study of the Canon of the Mass:—

Finally, when (by the seventh century) the Roman Canon had been adopted in Franco-Gallic and Irish circles, the men composing these circles embodied the Roman Memento of the Dead as an integral part of the Canon to be said in all Masses. This process was repeated in the ninth century after the introduction of the *Gregorianum* by Charles as the official Mass Book, so that the Memento of the Dead became a regular part of the Canon at all Masses . . . and the Memento of the Dead now stands in the Missal as an integral portion of the Canon. Its position is that first assigned to it in their Canon by *Irish* and *Gallic* improvers in the seventh century, viz., between the prayer *Supplices* and the *Nobis quoque peccatoribus*.

<sup>1</sup> Quoted by Father Thurston, p. 11.

<sup>2</sup> See Canon in Stowe Missal.

<sup>3</sup> Cf. Dr. Fortescue, *The Mass*, p. 167; Father Lucas, *Holy Mass*, pp. 26-27; Battifol, *Leçons sur la Messe*, p. 224.

<sup>4</sup> *Liturgica Historica*, p. 115.

Hence Irish priests had a hand in shaping and placing a part of the Canon of the Mass, as it stands in the Roman Missal even to this day, and this part was the prayer in memory of the dead.

Now this prayer is of Roman origin, but did it from the beginning and always find a place in the Canon of the Mass as said at Rome? Mr. Bishop was of opinion that the Memento of the Dead was originally said on week-days, and not in the more solemn celebrations of Sundays and festival Masses.<sup>1</sup> He based his opinion chiefly on two tenth-century treatises on the Mass. And his opinion is endorsed by some liturgical scholars.<sup>2</sup> However, his findings were questioned by Rev. H. Lucas, S.J.<sup>3</sup> Father Lucas sums up his article thus:—

My conclusion, then, is that the Memento of the Dead really does belong to the Canon of the Mass in the form which it had in the days of St. Gregory and probably in those of St. Gelasius; that in consequence of a tendency to distinctive specialization, it came to be omitted in certain Masses, and that later it was restored to its original position, or—in a few instances, as the MSS. testify—to a position not its own.

Other questions interesting to priests, discussing or considering this matter of remembrance of the dead in prayer and sacrifice, are the old foundation Masses in pre-Tudor Ireland, the diptychs in Mass in Ireland; how many names were read from them usually; were they Latinized in the great monasteries like Clonmacnoise, were the long lists read at every Mass? Why was the recitation of the names of the dead transferred from the more public Mass of the faithful to the secret? Some of these questions deserve treatment from some skilled liturgist.

E. J. QUIGLEY.

<sup>1</sup> *Liturgica Historica*, pp. 97-99.

<sup>2</sup> Cf. Battifol, *Leçons sur la Masse*, pp. 225-226.

<sup>3</sup> *Tablet*, May 17, 1919.



# A FREE CHURCH IN A FREE EUROPE

## I

BY REV. MYLES V. RONAN

The Catholic Church will benefit by the liberation of Europe. The overthrown Empires weighed heavily on her, sometimes they pretended that they wished to safeguard her; but their persistent attentions only chained her down, and their offers became threats. They would have been glad if she helped them to ratify the enslaving of others and if she agreed to her own. Having buried alive Catholic Poland they mounted guard, from generation to generation, so that no resurrection should burst asunder the stones of the sepulchre, and their diplomats frowned when they saw the Papacy weep over Poland, remembering that long ago before the tomb of Lazarus a few tears had conquered death.

SUCH is the introduction to two learned and most interesting articles by Georges Goyau, in the July number of the *Revue des Deux Mondes*, on 'L'Eglise Libre dans l'Europe Libre.'

The Church has a divine commission to go and teach all nations; but when she desired, in conformity with this command, to go to the millions of Slav souls and to teach them, her path was beset with obstacles, apparent or disguised, some of which were opposed to the methods of her apostolate and others to her very mission as an apostle. To-day, the roads are open. The Church has worked slowly and patiently to shake off certain yokes which the war has succeeded in breaking, and certain vistas towards which she marched have suddenly drawn near her. A glance at the historical facts will show how the Church worked out her own destinies, and will throw some light on what still remains obscure in the approaching dawn.

I—WHAT AUSTRIA SHOULD HAVE BECOME : WHAT SHE WAS

Further back than Austerlitz and the ruin of the old Holy Roman Germanic Empire, the Hapsburg Empire dragged out an existence that it would have wished should remain stationary, and that disturbed and interfered with

the march even of history. The old-fashioned splendours in which, to the end, its destinies wrapped themselves up, handed on the pale image of a beautiful dream; the dream of 'Christianity,' the dream of an *Imperator pacificus*, smoothing over diversity among the peoples, bringing concord among them, and uniting them.

For the last time, in 1849, shortly before the accession of Francis Joseph, ecclesiastical lips had formulated the beautiful dream; the bishops, gathered together in Vienna, in a solemn letter defined for the sovereign his lofty mission, 'to strengthen, revive, reunite in a real *fraternal league* the different peoples grouped around his throne.' That was the programme mapped out by the Church. Immediately the principle of the Hapsburg Government was announced by the Emperor Francis II:—

'My peoples,' he said, 'are strangers to one another: so much the better. They do not suffer from the same maladies at the same time. I place Hungarians in Italy, Italians in Hungary, each one watches his neighbour. They do not understand one another, they detest one another. From their antipathies arises order, from their reciprocal hatred general peace.'

Under Francis Joseph Count Taaffe laid down that 'no one must be content.' By organizing and regularizing internal war between the different peoples, by accepting the arm of Croatia against the Magyar revolt and then by laying the Magyar yoke on Croatian shoulders, and by inciting the Italian against the Slav and the Slav against the Italian, and, even among the Slavs, the Croatian Catholic against the Serb Orthodox; by fostering hatred wisely and methodically; it was in this way the Hapsburg dynasty meant to live. In 1832 Montalembert had styled it 'the high priestess of oppression.' Under the auspices of the imperial sceptre order and peace, as they were recognized in Vienna, had hatred as their foundation. With her different nationalities long and faithfully devoted to the same prince, Austria could have been an experimental field in which the old maxims of Christianity might have assumed again a new virtue; of this old Christian Europe, one and diverse, she was all that remained; but, thanks to the government methods of the Hapsburgs this relic looked like a caricature.

In June, 1867, the cross was carried before the Hapsburg in the streets of Budapest; and when the young sovereign, who came to be crowned with the crown of



St. Stephen, dashing on horseback over the mound where fifty clods of earth symbolized the fifty divisions of the Kingdom, had cleft the air with his sword north, south, east and west, this brisk and solemn flourish had awakened the glories of a Hungary ere long a thousand years old, the rampart of Europe against Islam. But ten years later these same Magyars, who had surrounded with almost priestly pomp this method of renewing the vows of Hungary, were let loose in favour of the Turk against the Christian Slavs of the Balkans. In 1877 an extraordinary fund was organized in Budapest to arm with a sword of honour the general of Islam who had vanquished Prince Milan. Less than forty years had passed and one of the ends of the war imposed on Francis Joseph by William II was to confirm the check to the crusades by maintaining the Grand Turk in possession of the Holy Places.

In ecclesiastical circles some still dreamed of an ideal Austria quite the opposite to the real Austria; and the Austria of Francis Joseph still benefited by the long attachment that they fostered for this fabric of their mind, baptized by the name of Austria. The Government of Vienna knew how to profit by this vacillation; by trickery and by a pleasing exterior it tried to win the official compliments of the Church at a very small cost, and sometimes it obtained them. It gave her a dazzling place in the forefront of the State; it gave her a place in its pomps, but very little in its works. For, in its works, the Austrian State, in spite of the sincere efforts of Metternich to bring about repentance, was always inspired with the principles of Josephism; it was more religious in its toilet, if we may say so, than in its policy. But the toilet no more makes the State than the habit does the man.

Of old, Joseph II thought to dupe his subjects and foreign Catholics when he forced Pius VI to insert into the text of a Pontifical discourse a phrase expressing the wonderful devotion of the Emperor to the Holy See, and when he immediately had the discourse translated into several languages. In the secret audience he spoke to the Pope of suppressing the temporal power, or of causing a schism in Lombardy, or of convincing his people that one might be a Catholic without being a Roman. Bernis stated that there remained for the Pope no other alternative than that of 'obeying with the least possible humiliation the law of

the stronger and the more skilful.' But Joseph II, philosopher as he was, wished the Pope to point to him as a devout Emperor. Thus he wished to borrow the Church's influence so that he might use it to fight her.

The Josephist bureaucracy continued, and in 1844 Metternich wrote to his sovereign that whilst Austria 'was in a state of war against the Revolution' she was 'engaged in a secret war against the Church and the Holy See.' In 1849 a layman (Ignaz Beidtel), under cover of the revolutionary disturbance that at last allowed to Catholic thought in the Hapsburg States some liberty of speech, published *Recherches sur la situation religieuse*. It was the first time for a hundred years that a formal claim for the autonomy of the Church had appeared in Austrian territory. The Emperor Rudolph had said in the sixteenth century: 'In my country I mean to be Pope, archbishop, bishop and dean.' And in 1792 Leopold II had decreed: 'We must consider the priest not only as a priest and as a citizen, but also as an official of the State in the Church.' The Josephist spirit day by day sanctioned and systematized these august maxims. Its secret opposition, then its external show, paralysed the effects of the Concordat that in 1855 Francis Joseph signed with Pius IX, and of which he finally obtained the brutal abrogation.

Austrian diplomacy, busying itself about the Holy See, murmured in the ears of Gregory XVI or in those of Pius IX, whilst pointing out tottering Italy at their hand: 'We are united, Most Holy Father; I shall protect you.' If Rome had given way, the protection would soon have become a protectorate. In 1831 the representative to Gregory XVI received from Metternich this message:—

The more benevolent, sincere, and firm are the intentions of the Emperor towards the Pontifical Government, the more we have the right to make ourselves heard in Rome with regard to the undertakings for which it relies on our support, and which affect interests of the most delicate nature and of the most far-reaching importance.

The first acts of Pius IX called forth from the Chancellor of Vienna many other trickeries. 'No concessions,' he cried out to the Pope. 'You have no right to them; they would only lead to a diminution of the rights of the sovereign authority.' Then he learned that Pius IX, as Lacordaire afterwards said, 'stirred up from the tomb of Paul IV, after three hundred years, the buried sparks of Italian liberty, and enkindled from end to end of the



Peninsula hope and ardour.' A Pope then 'trifles with liberalism.' With rage Metternich repeated these words. 'The Pope and his entourage,' he groaned, 'are at the bidding of factionism. It is the democratic element that gains the day and that proclaims Pius IX as its guiding spirit. The holocausts to Pius IX are a mood that will pass like all moods. The enthusiasm of the day overleaps all that it touches, beginning with the name that it has taken as its sign and its banner.'

The Italian revolution, to quote Lacordaire again, 'soon had no longer any need of this Washington whom Providence had given to Italy.' Then the astute Austria, exploiting this tragic repudiation, made up its mind to 'weigh on Italy with an unjust and oppressive load and to weigh also on the Church by preventing the Papacy from preserving in Italy the character that it had always had, and that rendered it dear to the inhabitants.' 'This house of Austria,' said Joseph de Maistre, 'is a great enemy of the human race, and especially of her allies.'

But it was not Pius IX alone that 'trifled with liberalism,' it was all the Catholics who in Belgium, France, and later in Germany, conceived the idea of binding themselves together so as better to defend the Church. This *Vereine* displeased Metternich immensely. Rome let him talk and then she blessed the new associations; and when later in Rhenish Prussia, in Westphalia, in Silesia, these associations inflicted on Bismarck, in the name of the Church, the only defeat that Bismarck had ever suffered, Rome could rejoice for having of old refused to listen to the reactionary suspicions that were formulated in Vienna and that periodically expressed to His Holiness the alarms of his Apostolic Majesty.

Pius IX, in 1850, sanctioned in Great Britain, by the establishment of an episcopal hierarchy, the magnificent progress of the Catholic faith; there was one statesman in Europe who refused to understand, who regretted this 'risky step.' It was Metternich. In another set of circumstances another pen, that of Mélanie de Metternich, reflected his thought, 'we must rather think of raising up new defenders of the Church; as to converting unbelievers, in my opinion it is a useless and even dangerous task.' 'In fact,' says M. Goyau, 'if the Kingdom of God can be looked upon chiefly as a magnificent, hieratic garment for the Kingdom of the Hapsburgs, and if the Hapsburgs,

through a natural fear of revolutions, are especially desirous to remain stationary, what need is there of conversions, missions, conquests ?' The Austrian State gently cradled her Church and sometimes crippled it ; thus we see to-day a great Catholic country in which the life of souls was never spent in any serious missionary activity, and this country is Austria.

## II—THE CHURCH AND THE OLD DANUBE NATIONALITIES

The Spirit that breathes where it wills breathed even in Austria. Three centuries of Germanic oppression, strengthened in our days by the alliance of the Magyar oppression, could not stifle in a great many Catholic souls the sentiment of national liberty and the aspirations towards the expansion of the Church. Walachia, Moldavia, Transylvania at the beginning of the eighteenth century were about to forget the Latin ancestors who by their blood, by their ploughshares, by their tombs had made of these lands 'Roumanian' lands. In the Transylvanian plain which the treaties of Carlowitz had placed under the domination of Vienna, Saxon Lutherans and Magyar Calvinists were the masters ; the timid orthodox Church did not inconvenience them. But in the face of these oppressors a voice was raised to recall the ancientness of the Roumanians and what this soil owed them, their superiority in number and their gifts of government. This voice that demanded that they be recognized in Transylvania as a 'political nation' was that of the Catholic bishop, Jean Innocent Micu—Bishop Klein as they called him in the bureaux of Vienna, where his name was Germanized when they could not Germanize his spirit. Before the Transylvanian Diet he pleaded for the Roumanian nation in the name of natural right. Some denied that there was such a thing as a Roumanian nation. Micu, one day in the year 1744, solemnly gathering together the immense crowds, baptized them a nation. Vienna was angry and proposed to bring him to trial. He fled to Rome where he died. For a long time afterwards the Transylvanians who visited Rome ascended the hundred and odd steps that lead to the Church of Ara Coeli to pray before the tomb of this mitred tribune.

Moreover, Rome became for them a home of national awakening. When the Government of Vienna sent to the Propaganda College clerics from Transylvania it intended them merely to study theology. But they learned other



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lessons at the foot of Trajan's column when they examined the bas-reliefs of that monument. 'How often have I gazed on that wonderful column' said one of these clerics, Georges Sincai, who afterwards became one of the first Roumanian historians. These scholars of the great Emperor, having returned home, whispered even beyond the Carpathians into the ears of the Walachians and the Moldavians the renown of Trajan's name and the lessons to be learned from that far-off epic in stone. They spoke of this trophy of the Roman name as a trophy of the Roumanian name. Thus they helped the Roumanian personality to know itself better, to defend itself better, and they prepared the way for the declaration that Bishop Sulut, the first 'United Catholic' Metropolitan of Transylvania between 1851 and 1867, was one day to make even under the yoke of Budapest: 'In our heart as well as in the heart of the whole nation, towards all the members of the nation, is found this impulse, this supernatural sense, by which we love our Roumanian brethren who dwell in the Danube Principalities or anywhere else in the world.'

During the seventeenth and eighteenth centuries, when Latinism in Transylvania began to struggle in order to live again, Slavism in Bohemia struggled so as not to die. By a touching foundation Bohemian patriotism called God to its rescue. There were in the Cathedral of St. Vit in Prague in the beginning of 1680 two priests officially charged to implore of God 'the preservation of the Czech people'; and in order that their prayers should be fervent and sure these priests should be Czechs, or even Poles, or even Croats, or even Slovaks. So the good Canon Pechina de Tchechorad decided when he generously established the two prebends. He looked upon all these people as of the same 'illustrious Slav race.' About the same time another priest prophesied: 'the joyful hour will follow the hour of sadness, and the Czech tongue will win back the place that belongs to it.' He was Bohuslas Balbin, a Jesuit, whose works were forbidden by the censor. He saw Germanism filter into Bohemia.

'No people,' he said, 'migrate in such great numbers as the German; they arrive in bands, and it would seem natural that they should learn our language. Not at all, they mean to impose their own on us; their chances of success would be null without the unforeseen complicity of many Czechs who favour them through ambition, cupidity,

vanity, or stupidity, forgetting the word of Tacitus that it is a part of freedom to be governed by one's own.'

In these feverish lines is summed up the whole history of the Germanization of Bohemia, such as was carried out for two centuries after Balbin and even under Francis Joseph. Side by side with these Jesuits who hawked about, like carriers of heresy, the Czech books of the sixteenth century, other Jesuits spread abroad by the thousand Catholic books written in Czech and prepared Czech translations of the Sacred Text. 'We are as salt in the eyes,' said the priest Betskowsky, 'and an eternal thorn in the heart of our neighbours and even of some of our fellow-countrymen.' When he died, in 1725, this priest left an historical work in which the eighteenth-century Czech could become familiar with the national past. Before the century expired another priest, Dobrovsky, opened up another avenue of thought by joining with the Slav brethren of Russia in scientific relations from which arose Slav philology.

A Croatian priest resident in Rome, Georges Krijanitch, strove by herculean efforts to restore and enrich his despised native language, and to make it an instrument of science. Then burying himself in Russia, he strove to realize the dream of a Pan-Slav idiom composed of the riches of the Russian, Croatian and Slav tongues, a union of the Churches, one Slav people, one Slav Church united to Rome. He wrote a book entitled *La Politique*, in which this linguistic attempt was set forth and which seemed to echo the offensive of the Czech Balbin against the infiltrations of the Germans. Krijanitch had asked that the hospital St. Jerome of the Illyrians in Rome, which received Croats, Dalmatians, Bosniaks and Slavs, should also receive the Slovenes of Carniola and of Styria. He was not successful. The Germanic tide, the currents of which were directed by Vienna, spread out over the whole Slovene country. It was one of the many griefs of Krijanitch that one day the Slovene personality might, through being forgotten, lose its own memory. But one hundred and fifty years later Napoleon, the great *éveilleur* of national souls, shook up the Southern Slavs.

Our race will be glorified, I dare to hope it.

A miracle is about to be performed, I predict it.

Leaning with one hand on Gaul, I give the other to Greece to save her.

At the head of Greece is Corinth, in the centre of Europe is Illyria.

Corinth is called the eye of Greece, Illyria will be the jewel of the world.



So prophesied a Slovene monk, Vodnik, in 1797, who became the founder of the first popular journal known to the Southern Slavs. In this *Ode à l'Illyrie ressuscitée* the Hapsburg and the Grand Turk might have read their future destinies. It prepared the way for Yugo-Slavia. Austria soon learned that the lyricism of the monk had for ever awakened the Slovenes. In 1814 a little rustic, named Antoine Slomsek, entered the Gymnasium of Cilli. He spoke Slovene, and the other boys asked him to be their master. Afterwards as a priest and then as a bishop Slomsek always continued to teach the mother tongue. Poetry for children, sermons for adults, grammars and chants succeeded one another from Slomsek's pen to revive the soul of his people. Vienna forbade him to establish the society he had in mind for the propagation of the Slovene language. However, in 1846, he issued an Annual Review called *Miettes*, crumbs of daily bread for the year. Editors now disputed among themselves for his pen. Vienna ordered that on the banks of the Drave and the Save the priest in teaching Catechism should use German. The Slovenes partly gave way but the deserters were severely reprimanded by the bishop in the last article that came from his pen. In 1862 Slomsek was laid to rest.

Soon another Slovene poet arose among the clergy, a priest named Gregoriec, who sang in his poems of a certain Ash Wednesday. 'Arise, my poor people,' he cried, 'until now trampled under foot in the dust; it is not the day of ashes which is your day, it is the day of the Resurrection.' Vienna continued to Germanize, but these voices of the Church conveyed the impression that at certain fateful times the sepulchral stones rose up for the peoples as formerly for their God.

In 1860, when Austria fell back before Italy, a magnificent interpreter of the Slav fraternity rose up in the person of Strossmayer, bishop of the small Croatian town of Diakovo. In a loud voice that carried he demanded the application of the federal principle whilst maintaining the Danube Empire. The bitterness of the friction with the Magyars, whom Strossmayer considered to his last day as a 'race, haughty, egotistical, and tyrannical in the highest degree,' raised in his soul no desire of vengeance. All his pastoral letters were inspired with this thought, that in order to be worthy of liberty, they must extend the same liberty to those of different race and religion with whom

they come into contact. 'It is the teaching of the Cross, and the law of every human group that desires to be worthy of the fruits of Redemption.' The Governments of Vienna and Budapest did not know how to unravel this teaching, but Strossmayer did not despair of converting them.

In him was incarnated the idealism of 1848; he willed not the death of Austria but that it be converted and live—live by allowing every one of its peoples to live its life. 'I would give my life,' he wrote to Gladstone, 'to save this great country that has a magnificent task to perform in the new condition of the world.' The Dual Monarchy did not understand. In the Croatian Diet the Magyar element through underhand dealings secured an unjust preponderance. Strossmayer then, over these caricatures of parliamentary assemblies, shook the dust of his episcopal mules. He devoted himself to the exercise of a kind of intellectual sovereignty that would extend even to the Slav brethren and that would propagate, as a pledge of the future, the splendours of the old Croatian culture. The Academy of Zagreb was opened in 1867, and the University Zagreb in 1874. He loved these institutions and devoted his eloquence, his revenues, and his heart to them. A young canon named Racki was the Professor of History. 'Does Austria,' asked Racki one day, 'wish to desert the rôle that belongs to her, to betray the Slavs who maintain her, for the greater glory of the Germans who lie in wait for her destruction? Such a policy corresponds neither to the traditions of the Hapsburg dynasty nor to its true interests, and it compromises its future.' Misunderstood in Vienna, he returned to his brethren, and wherever there were Slavs his science became a patriotic work. He was the first historian of the Yugo-Slav peoples, the defender of the Croatian claims in Dalmatia, the interpreter of the constitutional right which Croatia enjoyed since the Middle Ages. On the day of his death the rough draft of a treaty of alliance for the union of Croatia and Dalmatia, Istria and Carniola, Herzegovina and Bosnia as one and the same people was found on his table. Before his time Yugo-Slav history was less known to the Yugo-Slavs themselves than was that of Germany, France or England. But in the hands of this priest it became a powerful agent of propaganda, and the publications of the Academy of Zagreb, which at the end of the century exceeded three hundred volumes, was a



witness to the learned world that in this corner of the Danube basin a new science was born, the educatrix of a conscience.

Strossmayer, with the Cross in his hand, had devoted himself to the national service, and considered himself the 'divinely-appointed defender' of Bosnia and Herzegovina. He desired, as such, a place at the Congress of Berlin. Thus the Church, with a mother's ambition, was watching over the second youth of these peoples as she had in the Middle Ages watched over the first, she who had been the depository of their traditions, their songs, their poems.

### III—LIBERTY OF THE PEOPLES AND UNION OF THE CHURCHES

'It is in the seminaries,' said Emile de Laveleye in 1867, 'that the national movement imbibed this force of expansion which was spread everywhere in the basin of the Danube.' All these apostles of the Roumanian, the Slovene, the Croatian ideal had this trait in common, that beyond the limits of their Church they would seek out in the churches cut off from Rome the brethren of their race to whom they would extend their patriotic apostolate. But since there was to be an end to this division of their peoples why not also an end to the division of their churches? This idea of union became contagious. These workers of the future national unity marched forward, in the name even of their nationality, imbued with the idea of the union of the churches.

Slomsek, in 1851, got approved by Pius IX the association of prayer which he had founded under the patronage of SS. Cyril and Methodius to obtain from God the religious unity of the Slav world, and invited all the separated brothers and sisters to pray with their own flocks. Strossmayer, who, though Bishop of Diakovo, had episcopal jurisdiction over Bosnia, and was vicar-apostolic of Serbia, seemed to see in these very titles an appeal to throw the bridges, in the name of the Roman Church, across towards the other Slavs. He considered that the first step towards religious unity would be the acquisition from Rome of the right to use the Slav liturgy by the Slav churches united to Rome. Racki, who was in Rome in 1857, drew up a memorial on the question for the Roman Congregation in charge. He saw in the Academy of Zagreb, which was undenominational, a providential bond of union between East and

West, between the Greek and the Roman Church, between Byzantium and the Holy Empire. As a matter of fact the various churches had begun to know one another better and to love one another. The popularity of Strossmayer was immense in Serbia, and his picture decorated the cabins even of those separated from Rome. They called him affectionately the 'Bishop.' Both he and Racki concluded that there must be a rapprochement between the churches.

But in this matter his Apostolic Majesty had something to say. These dreams of union, these designs of the apostolate must be displeasing to the Governments of Vienna and Budapest. Religious divisions were for them a political advantage, and they emphasized and enlarged them on every possible occasion. Their idea was to divorce the various nationalities and to set up barriers between them.

A picture of Pavlinovic, the founder of the Croatian party in Dalmatia, with his hands in the hands of a Pope, was spread broadcast. This angered the bureaucrats of Vienna, who were quick to see in it a symbol of what the Hapsburg dynasty hated most, a symbol of union. They were again angry when Strossmayer, on the celebration of the tenth centenary of SS. Cyril and Methodius at Kieff, sent to the Orthodox committee a friendly greeting. Francis Joseph hurled the most violent insults at the head of the bishop. Strossmayer, impenitent, did not believe that to desire union and to preach charity were guilty acts. Leo XIII, in his encyclical on SS. Cyril and Methodius, knocked at the door of the Slav souls, and Strossmayer in his Lenten pastoral of 1881 commented on it. 'Let us never listen, brethren,' he concluded, 'to those who would wish to divide us, they are evidently our common enemies.' Those who wished to divide them belonged to the German bureaucracy of Vienna, Germanized Magyarism. The general policy of the Dual Monarchy, under the devout and edifying exterior which his Majesty affected on feast days, was going to place an obstacle in the way of the apostolic efforts of Leo XIII to propagate throughout the Slav East the very idea of Catholicity.



## IV—THE HOLY SEE AND THE BALKAN PROTECTORATE OF AUSTRIA: LEO XIII AND PIUS X

Those peoples whose welfare Strossmayer and Leo XIII had so much at heart were jealously attached to their traditional liturgy and also to their national pride. I am Catholicism, said Austria, and proclaimed herself before the Slav nationalities as the protectoress of the Roman faith, and that the Roman Church in the basin of the Danube should speak to God only in Latin. The Church then appeared one with this foreign power which the Balkan Slav detested as a servile satellite of Germanism. It was one of the master ideas of Leo XIII to break this solidarity.

Strossmayer, after the encyclical of Leo XIII on SS. Cyril and Methodius, would have wished for a month at least to have Mass celebrated in the Slav language in the Catholic churches of Croatia, in order to show to the separated brethren the respect and affection of Rome for their old liturgical language, the only one outside the sacred languages in which Mass is said. Halt there, said Hungary, and Strossmayer had to forego this joy. But in Dalmatia the agitation for the Slav liturgy went on increasing. Austria increased her intrigues, set bishops against one another and priests against bishops, and relied on the Nuncio Galimberti against the Secretary of State to stop the Roman Congregations from carrying out the policy of Leo XIII.

To counteract the leanings of the Pope Austria made great capital out of the Russian peril. In allowing these peoples to use the Oriental rite and to speak to God as the schismatics speak to Him, said Austria, you are allowing them to think as they think. The pile of Paleoslav missals that Leo XIII had had printed in the Propaganda press, at his own expense, for the bishops on the other side of the Adriatic, showed that the Pope did not heed Austria's objections. Austria did all she could to prevent these missals from reaching their destination. But the glorious letter *Praeclara*, which the Pope in 1894 addressed to princes and peoples, resounded throughout Europe as an invitation to union. A kind of war then began between the Apostolic Empire and the Apostolic See. Rome, disregarding Austria, began to get into closer touch with the Slav States separated from her. A Concordat was signed in 1886 between herself and Montenegro. Rome in future would no longer depend on Austria to defend the interests of the Catholics

in that Slav principality. Vienna became angry, and deprived of his pension, as former professor in the seminary of Dalmatia, the Franciscan who, under the new regime of the Concordat, accepted the Archbishopric of Antivari. The Slavs held that in a corner of the Slav Balkans there was formerly a Church united to Rome and at the same time independent of Austrian influence. There was no cathedral, only a few small churches. It was with this poor provision that the Roman Church entered into the Slav State, wishing for no other protection than the authority of Leo XIII.

For a long time the eyes of the Pontiff had been turned towards Serbia with a view to establishing a Concordat. In 1883 a large number of Italian workmen were employed on the construction of a new railroad between Belgrade and Nish. A Barnabite, named Tondini, was sent by Strossmayer to look after them. But Khevenmuller, Minister of Francis Joseph in Belgrade, forbade him. Austria thus cut off from God these poor Italian souls in the land of Serbia. Strossmayer insisted on his rights as Vicar-Apostolic of Serbia, and Tondini at last crossed the frontier. King Milan informed him that 'a Concordat is a necessity for Serbia. Its dynasty requires, since it has been erected into a Kingdom, that the spiritual head of 15,000 Catholics should not reside outside the country.' Milan repeated the same words to Strossmayer a year later. But Khevenmuller objected to Tondini. 'It is a principle of our policy,' said he, 'inherited from Schwarzenberg and from Metternich, that we exercise, on account of the jurisdiction of an Austrian bishop, a sort of control over the Catholics of Serbia.' However, the idea of the Concordat remained in the air. Leo XIII had remarked to the Marquis of Reverseaux, who was taking up the post of French Minister at Belgrade: 'I wish to nationalize Catholicism in Serbia.' Later on, under King Alexander, the idea took shape and was committed to paper, but one day the papers of the agreements which M. Vesnitch had drawn up with Cardinal Rompolla disappeared from the Royal table. The enemies of the Serbian Concordat had long arms and nimble hands.

Vienna detested Cardinal Rompolla from the moment he began a policy of liberation. He would have loved to see a diplomatic combination in which France, Russia and Austria—an Austria differently governed, and otherwise inclined—would counteract the preponderance of Berlin;



but the vanquished of Sadova was as a captive in the hands of his conqueror. Then was presented in 1892 this curious spectacle : the Chancellery of Francis Joseph contending with the Secretariate of State through a German jurist Geffcken and an anonymous writer in the *Contemporary Review*, and the Vatican replying through the *brochure* of a Jesuit, Father Brandi. Geffcken and the writer of the English article painted Austria as the El Dorado of Catholicism. But Leo XIII knew where he was ; appearances did not deceive him. Still he continued on good terms with Francis Joseph, and had an immense compassion for him in his family troubles.

At the end of the century, without disturbing this Empire that prided itself on being Catholic, German Lutheranism all at once delivered some insolent blows. The word of order, *Los von Rom*, carried off from the Church of Leo XIII more than twenty thousand subjects of Francis Joseph. From Saxony and Prussia pastors arrived unexpectedly, eager to carry out the Germanization of Austria through the gospel of the Hohenzollern. Austria had no longer the right of self-protection against whatever came from Berlin. Leo XIII and his Secretary of State took note of these misfortunes in the El Dorado. Austria had ceased to dazzle Rome and ceased also to intimidate it. The Viennese rancours at the conclave of 1903 deprived Cardinal Rampolla of the Tiara. This was the last victory of the Hapsburg dynasty over the independence of the Church. On the death of Pius VII, Metternich had written to Count Appony, his Minister at Rome : 'Constant experience has shown that the formal and open veto that courts privileged to send ambassadors to the Conclave have a right to exercise in the case of a certain Cardinal presents real inconveniences, and almost always when the said courts use this right they find themselves in an unenviable position.' Things turned out badly for Austria after the veto of 1903. She saw Pius X in 1904 salve the Christian conscience by energetic and decisive measures, with a view to protect future Conclaves from any exercise of the pretended right of veto. She felt in 1906 that the passive resistance of the Dalmatian episcopate annulled the success that for the moment she flattered herself with acquiring over the question of the Slav liturgy. She finally learned in June, 1914, that Cardinal Merry del Val had just signed with M. Vesritch the Serbian Concordat.

This was for Austria a diplomatic disaster. As far as religion was concerned she had no more to do with the Balkans. Rome had given her notice to quit. For the *Drang nach Osten*, for this drive through the Balkan gap which Germanism wished to carry out towards the East, Austria had received from Berlin instructions, a way bill, and subsidies. She meant to join the Roman Church herself in this Germanic undertaking, the result of which was to be the oppression of the Balkan Slav. The Roman faith, sheltered in this undertaking, was in danger of appearing as the enemy of the Slavs; but what did Austria care? The successful pourparlers of Cardinal Merry del Val with M. Vesnitch brought honour to the Church by putting an end to all equivocation. The Balkans breathed, so did Rome. The Concordat with Serbia stipulated that 'in the parishes of the Serbian Kingdom which, having regard to the language spoken by the faithful, will be mentioned by name by the Holy See, the Catholics of the Latin rite can in the Sacred liturgy use the Paleoslav Language.' The future began to smile on the liturgies of the past. Strossmayer was dead, Rompolla was dead; but their spirit hovered around. Five weeks later Europe was on fire.

#### V—THE HOLY SEE AND THE POLITICAL PHILOSOPHY OF AUSTRIA : BENEDICT XV

During the years from 1914 to 1918 human ears tried to shut out the tragic uproar so as to hear if the Pope spoke and how he spoke. The attention even with which they listened for the echoes of the Vatican sometimes seemed like an appeal. The questions and the looks of which Rome became the object showed that the prejudices of some against the interference of the Roman authority in human affairs were slowly passing into the rank of archaisms. By a singularly curious *volte-face* some people, ceasing to take umbrage at the meddlings of the Church, seemed uneasy now at what they called her lack of moral firmness, and seemed to wait with a feverish vexation for the lips of Benedict XV to revive the language of a Gregory VII. And some, who perhaps rejoiced the day before that Luther had taken the edge off the thunderings of the Roman Church, were asking what the Pope was waiting for that he did not excommunicate the violators of right. The Central Powers themselves seemed very discontented with certain acts of the Holy See.



It displeased Austria that in May, 1915, when she seemed to have annihilated even the name of Serbia, the Government of Benedict XV ratified with the exiled Serbian Cabinet that Concordat which the Chancellor of Vienna had considered as a catastrophe. Poor Serbia, deprived of her country but not of her soul, still had the semblance of a State for the Vatican.

It displeased Germany in July, 1915, when a few kilometres around the Panne marked the boundaries of Belgian sovereignty, Cardinal Gasparri wrote officially to the Belgian Minister that Benedict XV denounced at the consistory of January 22 all the violations of right, and included in this phrase the German attack on Belgian neutrality.

It displeased Germany to learn in September, 1917, through a letter of the same Cardinal, that, in a pontifical note of the 1st August, the imposition of certain indemnities was foretold, amongst others being that of unfortunate Belgium.

It displeased Germany that in the consistorial allocution of Christmas, 1917, Benedict XV solemnly celebrated the taking of Jerusalem by the armies of the Entente, looking upon that event as part of the divine plan, and seeing in it 'a language singularly eloquent,' and that there might be read in it 'a kind of judgment of God in favour of England and France' (*Gazette de Cologne*).

Leo XIII and Pius X had prevented Austria from exploiting Catholicism in the interests of Germanism. Benedict XV on 28th July, 1915, asked : 'Why not consider, even now, with a calm conscience, the rights and just aspirations of the nations? Why not with a good will begin a direct or indirect exchange of views for the purpose of taking account as far as possible of these rights and aspirations?' The political philosophy on which the Hapsburg State leaned accommodated itself to a 'heartless diplomacy,' as Montalembert called it, 'which disposed of men like wild beasts and sold the faith of nations to the highest bidder.' But the 'aspirations' of the peoples have made their 'rights' prevail. It is said that the Emperor Charles was ready to become the architect of a more fraternal, more Christian, more humane Austria. It was too late. The Dual Monarchy belonged to that category of the dying whose death precedes their conversion.

In October, 1918, at the very moment when this secular enemy of national autonomies was about to collapse,

Benedict XV welcomed the resurrection of Poland, and in a published letter he added this wish, 'that it be granted to all nationalities, even non-Catholic ones, previously subject to Russia, to decide their own fate, and to develop themselves and prosper according to their own genius and their special resources.'

A new era is opened, a new life is begun. The city of the future is being built on the foundations of sorrow and blood. The Pope by his appeal to the right of nations becomes a citizen of it. This city of the future furnishes the Church with new conditions of life and new prospects. Let us try to see and perhaps foresee them.

M. V. RONAN.

*To be continued.]*



# IRISH MISSIONS TO SCOTLAND IN PENAL DAYS

By H. CONCANNON

## I—THE FRANCISCAN MISSIONS

It is characteristic of Ireland that it is not out of her riches alone that she hath ever given abundantly, but out of her poverty. The story of her missionary enterprises did not, as men might have been tempted to believe, come to an end when the glories of her Golden Age—the age of her Columcilles, and Columbans, her Galls, her Furseys and her Kilians—passed away in the red ruin of the Northmen's invasions. Never once, however the storms of persecution might henceforth shriek around her, could they still in the ears of her sons the Master's insistent command: *euntes docete omnes gentes*. Never once, even in 'the deep vast and middle' of her long penal night, did the sacred lamp she tended (with what cost let the story of her martyrs tell!) burn so low that there was not in it wherewith to light the extinguished torches of other nations.

One of the most stirring chapters in Irish missionary history belongs to the middle decades of the seventeenth century. As all students of Irish history know, the years were those of one of the fiercest persecutions the Irish Church has ever known. On the Feast of St. Brigid, 1612, Cornelius O'Devany and Patrick O'Loughran laid down their lives for their Lord on George's Hill, Dublin. The following year an attempt was made to introduce, through the instrumentality of a packed Parliament, the English Penal Code, and to revive (in flagrant breach of the articles which concluded the Fifteen Years' War) the Irish Penal Laws of Elizabeth's first Parliament. The attempt failed, but those who made it, nothing baffled, fell back on a contemporary form of D.O.R.A., which Dr. Eugene Matthews, Archbishop of Dublin, calls 'royal

perogative.' He enumerates the forms which the ensuing persecution took : Catholics driven from all public offices, and their places taken by persecuting heretics ; Catholic property seized and given to heretical English and Scotch colonists ; a crowd of English and Scottish preachers let loose in the country to pervert the faithful ; Catholics burdened by all kinds of imposts ; fines and taxes levied for the benefit of the Protestant clergy ; fines for attendance at Mass and for abstention from heretical worship ; taxes for the upkeep of Protestant churches, marriage, baptism and death fees ; Catholic cities deprived of their ancient privileges ; Catholics deprived of all education except at the hands of heretical schoolmasters ; Catholic heirs robbed of their rightful heritage unless they took the Oath of Supremacy ; Catholic nobles obliged to send their heirs to England 'to be educated and perverted.'

Against the clergy the persecution raged with peculiar violence. The edict of September, 1605, banishing 'all Jesuit seminarists' and priests, within ten days, under penalty of death, was renewed in May, 1614, and extended to Archbishops and Bishops 'who have derived their authority from Rome.' After September 30 of that year constables were empowered to arrest and punish all such as should be found in the Kingdom. The Archbishops of Dublin and Cashel were hunted men with a price on their head.

As for us ecclesiastics [wrote Dr. Kearney, of Cashel], when the persecution presses us, and the soldiers are in pursuit of us, we fly to secret recesses ; when the persecution relaxes, we gradually venture to appear in public. The higher that each one's dignity is, the more eagerly do they seek to compass his destruction, and lead him to the prison or the scaffold. But as they leave nothing undone to capture us, we are ever on the alert, and seldom can they obtain any information as to our whereabouts.

He pictures vividly the life led by ecclesiastics in those days of constant alarms : flying from city to city, nay, from house to house in the same city, disguised in secular attire, and trusting for safety to the friendly shades of night.

Though we hope to be children of light, yet we have to love the protecting darkness : it is at night that we perform all the sacred functions—that we transfer the sacred vestments from one place to another—celebrate Mass, exhort the faithful, confer Holy Orders, bless the chrism, administer the sacrament of Confirmation, and discharge, in a word, all our ecclesiastical duties.



Could a Church called to suffer such things find the wherewithal to come to the aid of a sister-Church even more afflicted? The affirmative answer is a matter of history (though perchance of a history not sufficiently known even to those whom it most concerns to know it); and it may serve as an answer to many of those who, in our own day, meet the appeal of the Maynooth Mission to China with an impertinent 'Haven't we Chinese enough at home in our own slums, and the desolate, fever-stricken "congested districts" of the Western Gaeltacht?'

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A letter from the Cardinal Secretary of State at Rome to the Internuncio at Brussels, dated October 23, 1615, and published by Monsignor O'Hagan in *Archivium Hibernicum*,<sup>1</sup> mentions the project of entrusting the Irish Franciscans with a mission to Scotland, where, owing to the absence of priests, the faith had almost died. Cardinal Moran's researches in the Vatican archives have established that other Irish priests had been active in the field since the beginning of the century, sent thither by the care of Primate Lombard, who, as Archbishop of Armagh, claimed also the Primacy of Scotland. But it was necessary to provide for a supply of missionaries less liable to interruption, and these, it was suggested, could be found in the Irish-speaking Franciscans, who were being trained in St. Anthony's, Louvain. The matter was pushed on zealously by the Archbishop of Dublin, Dr. Eugene Matthews, and the first Franciscan missionaries, Fathers Edmund Cana and Patrick Brady, with the lay-brother, John Stuart, set out from Louvain on January 4, 1619. After two years' arduous but fruitful labour Father Cana fell into the hands of the heretics and was thrown into prison and afterwards banished. Father Brady and Brother John Stuart continued the work, and in 1623 they were reinforced by three new missionaries sent to their aid by Dr. Fleming, recently appointed Archbishop of Dublin (to whom, as a Franciscan himself, the direction of the mission had been immediately entrusted). The new missionaries were all Ulstermen: Cornelius Ward, Patrick O'Neill, and Patrick Hegarty; and their selection was, doubtless, not made without reference to the fact. Father Cana, disregarding his sentence of banishment,

<sup>1</sup> Vol. iii. p. 316.

soon rejoined them, and God crowned their labours and the appalling hardships of their lot with marvellous success.

The detailed story of the earlier years of the mission has unfortunately been lost by the loss of the first *Relatio* of Father Cornelius Ward, who, as befitted a member of his scholarly family, acted as historiographer of the enterprise. We have, however, another *Relatio* of his, that presented to the Sacred Congregation in 1637. From this we learn something of the number of converts made by the zealous missionaries in the course of a few months—50 in the island of Sgianach, 203 in Eustia and Benimhaoda, 50 in Barra, Ferey and Barnarey. A Protestant minister having procured a warrant for Father Ward's arrest, the latter fled to the mountains and here continued his labours; in two months he reckoned 206 converts amid the mountains of Muidheart and Arasoig. But the harvest was not gathered without grievous toil:—

The missionary labours in these barbarous and remote districts is indescribable, and incredible to those who have not witnessed it. Oftentimes the missionary father has passed six months without being able to procure any drink save water and milk; indeed their whole food consists of milk and cheese, and in summer they seldom have bread. In the Hebrides and in the mountainous districts of Scotland there is no city, nor town, nor school; neither is there anything like education, and none can be found to read except a few who received instruction in distant parts.

Father Ward was obliged to leave the mountains for a time and journey to Edinburgh to replenish his stock of wine and altar breads for the Holy Sacrifice. The journey, made 'by ways of great length and not without much toil and suffering,' exhausted his strength, and he returned to his labours grievously sick. Nevertheless, between the 8th of September and the Feast of Christmas he received into the Church in Lochaber, Muiduirt, Sleibhte and Gleaneilgi one hundred and thirty-nine heretics.

At this time there was in this region of Scotland only one native priest, Father Reginald MacDonnell. He lived in hiding in the island of Uist, keeping body and soul together by food torn literally from the grudging earth by his own hands and feet, supplemented by the results of his fishing and shell-gathering.

Shortly after this time Father Ward was arrested and cast into prison in London, whence he was liberated after two years confinement, at the instance of the Polish



ambassador. After a short visit to Ireland to recruit his health he returned to Scotland.

In 1638, Father Patrick O'Hegarty was appointed Prefect of the Scottish mission. He was a native of Ballynascreen, in the modern county of Derry, and had been ordained at St. Anthony's, Louvain. He took up his residence in the Franciscan Convent of Bunamargy, near Ballycastle, Co. Antrim, which then became the headquarters of the Scottish mission. A letter of his, written at Bunamargy on October 31, 1639, gives a gratifying account of its success, and pleads for fresh workers to relieve Father Patrick Brady and Father Ward, whom old age in the one case, and corporal weakness, aggravated by the sufferings undergone in prison, in the other, rendered unfit for the toilsome service. He suggests Fathers John Gormley and Antony Gerlon as suitable for the work, and petitions for the assignment to them of the annual provision which the Sacred Congregation had promised in support of the mission. He himself, however, has received nothing of the promised subsidy for ten years, and yet, through the mercy of God and the friendship of certain Scottish nobles, his labours have been crowned with gratifying success :—

This very year the God of all consolation has deigned, by my labour, how unworthy soever it may be, to convert to the Catholic faith about seven hundred Scots, very many of whom are sprung from illustrious families of the isle and the Highlands. All these, after confession of their sins and reception of Holy Communion, were fortified by the holy Sacrament of Confirmation, administered by the Most Rev. the Lord Bishop of Down and Connor here in our convent of Bunamargy.

About this time the Sacred Congregation had under consideration the erection of a new bishopric of the Isles and the Highlands of Scotland. Dr. Magennis, Bishop of Down and Connor (then protector of the mission), having been consulted about the latter, suggested the choice of Father O'Hegarty :—

As indicated for the office by the finger of all, and in my opinion most properly. I know him intimately. He is a man of singular integrity, endowed with learning, a distinguished preacher, fervent in his zeal for religion, and on account of his prudence and exemplary life not the least among the friends of many of the nobles, especially of the illustrious Earl of Antrim . . . who desires his promotion.

The outbreak of the wars in Scotland and Ireland

prevented the appointment, but did not interrupt Father O'Hegarty's labours. We have a letter of his to Propaganda dated December 4, 1640. Father Eugene Colgan, it would appear, had recently visited Bunamargy, and informed Father Patrick of the discontent of the Secretary of Propaganda at not receiving more frequent reports of the mission from him. He, Father O'Hegarty, explains that his letters must have been frequently intercepted, and goes on to give an account of his stewardship :—

For eight years I have acted as guardian of this convent of Bunamargy, labouring no less in the conversion of the Scotch than if I was actually amongst them, for they flock thither to be received into the Church as bees to the beehive, as can be seen from the *Relatio* sent you last year through Most Rev. Bonaventure Magennis, of happy memory, Bishop of this diocese, who fell asleep in God on the 24th April of this year ; in which *Relatio* it was set forth how in four successive months a thousand persons were received into the bosom of our holy mother the Church in this very house by me and my brethren, and confirmed by the Most Rev. Bishop. Among them was the most noble and illustrious Alexander McDonnell, Lord of Largy, who, after one month passed in great tranquillity of soul, rested in peace. His example has impelled many others of the nobility and gentry to embrace the orthodox faith. In a word, during each of the past eight years five hundred have been converted by us, and as many and more confirmed in the faith. I must except, however, the present year, in which the free passage between Ireland and Scotland has been closed by royal decree on account of the civil war raging between the Scots and the King ; but even in this year I have received two hundred.

In 1641, Father O'Hegarty was appointed Commissary Visitor of the Irish Province, and President of the ensuing Chapter. On his way home to Bunamargy he was captured by a company of Puritan soldiers and kept in prison for five years, from which he was only released by the victory of Owen Roe at Benburb.

Our last notices of Father O'Hegarty date from the year 1646. A letter of his, dated Waterford, August 29, 1646, implores Propaganda to give him the wherewithal to resume his labours in the Western Isles and the Highlands. In this same year, as we learn from a very curious document, he was believed to have acted as a messenger between Rinuccini and Owen Roe on the one hand, and the Marquis of Antrim on the other. The document (published in full in Hill's *MacDonnells of Antrim*, pp. 326 et seq.) is a statement of 'crimes' alleged against Randal, Lord Marquis of Antrim, by 'the adventurers and soldiers interested in ye



estate of said Randal, with their proofes.' One of the articles runs thus :—

That ye said Marquesse, after taking ye said othe of association constantly continued in ye Rebells quarters, was eminent in their counsell, and during ye confederate treaty of ye 1646 peace, was all doing opposite thereto, and when he saw it draw neare a conclusion, being disgusted thereat, he forsooke ye kingdom, and in great discontent he retired into ye highlands of Scotland where he purposed to continue until he should receive advertisement of ye breach of ye said peace . . . which accordingly being effected by his confederates Owen Roe O'Neile and ye Pope's nuncio, and clergy party, they sent one Patrick O'Haggerty, a priest, purposely with notice thereof to ye said Marquesse, who thereupon immediately returned to Ireland.

During Father O'Hegarty's imprisonment the Scottish mission was not utterly lost sight of. In 1644, four Fathers offered themselves for the work, and they succeeded in interesting the Papal agent, Father Scarampo, who earnestly besought Propaganda to give them the necessary aid. His appeal met with due response. We find it recorded in a note of the Sacred Congregation of March 29, 1644, that at the solicitation of Father Scarampo a missionary stipend was granted for five Franciscan Fathers to be sent into Scotland, and that instructions were despatched to him at the same time to appoint one of the Fathers Prefect of the mission.

## II—THE JESUIT AND VINCENTIAN MISSIONS

When Father Francis Scarampo returned to Rome in 1645, he brought with him a sixteen-year-old boy, who was destined to be identified in a peculiar way with the fortunes of the Irish mission to Gaelic Scotland. This was no other than the Venerable Oliver Plunkett; and it is in the story of his life, as related by Cardinal Moran, that we find the narrative of this missionary enterprise continued.

The Irish Franciscans were not the only labourers in this vineyard. The Irish Jesuits had anticipated them there, and when the wars interrupted the Franciscans' work, a devoted Jesuit was found to carry it on single-handed. As early as 1605 we find Father Henry Fitzsimons in correspondence with the Jesuit General and Father Holywood, Superior of the Irish Mission, about sending Irish Jesuits to the Orkneys. A letter from Father Holywood,

rated 1611, and addressed to Father Conway, S.J., at Madrid, defers to the matter :—

As for our neighbour mission, when Claudius (i.e., the General) first acquainted me with his desire, wishing that I should give the Superior thereof two of mine, I had but six, whereof two could not speak the language, and the other three were spent, or at least broken, weak and sickly, and not able to undergo so difficult an enterprise, a thing the Superior himself, at his being here, saw and therefore motioned for none of them. Yet notwithstanding that Claudius still continued his desire in this behalf, I concluded with the Superior, a little time before his departure hence, to assist him with the help of others, which I proposed to send, and came since ; he in the meantime promising me of his own with instructions to conduct them, whom till March we still expected. In the Holy Week the instructions that came from the old man being received with a letter signifying that Claud had put all over unto us, with the greatest speed that might be conveniently made, we sent to sound the way and see what might be done—of which labour some fruit hath been already gathered, and more will, if it shall please God ; but of this matter the less noise the better.

The Father selected for the work by Father Holywood was a young Cork Jesuit, called Father David Galwey. Father Holywood's annual letters give an interesting account of his experiences. The following is taken from that of 1613 :—

One of our Fathers, from our Meath residence, went into the North, and even to the most remote islands of Scotland, where the Catholics had not heard Mass for fifty years. When his presence was felt by the heretics he was tracked and had to return to Ulster. He went through that country doing all the good in his power. A minister's son was converted by him, burned his Protestant books, and devoted himself to teaching the catechism to little children in order to atone for the harm he had tried to do to grown-up Catholics. A lady was also converted by our missionary. She had educated the daughters of a dynast of that country, and had instilled into them the principles of Protestantism. After her reconciliation to the Church she gave herself up to teaching catechism to the Catholic children.

In a report, dated 1619, Father Holywood goes into more detail concerning Father Galwey's work in Scotland. His field of operations was the islands of Tesqua, Islay, Oronsay, Colonsay, Gigha, Cantire, Arran and Cuin.

Tesqua is forty miles from Ireland, it contained only three Irish-Scottish families, and paid rent to the Puritan laird of Callaton. Its only chapel had been burned by the Puritans in 1615. The priest and sailors were nearly dead with hunger and thirst when they landed. They were well received, got stirabout and fish for food, and milk and water to drink. Their host and his wife repudiated their errors and went to confession ; the other two families were inclined to do the same, but were afraid of the Puritans. At Islay the Father reconciled forty of



mature age to the Church, and said Mass for them, an act of religion which they had never witnessed before. After seven days there he found he had been denounced, and went with two companions to Oronsay, where there was a chapel of St. Columba, and thence to Colonsay; in both he reconciled forty people of mature age, who had never seen a priest before, and he said Mass for them. The commander of the place and his wife and children and some soldiers were converted, but this gentleman, fearing that the natives would suffer if Galwey remained, gave him a boat and some soldiers to protect him. In Jura he reconciled forty adults and baptized eight children. On the soldiers coming into the island he had to depart in a frail craft for Gigha, where the natives were amazed at his venturing in such a boat in such weather. The chief man of the place, being informed by him of the object of his visit, urged him to go away as a price was put there on the head of a priest; the Jesuit said he would risk his head for the salvation of souls, and he was harboured hospitably for two days, and having got a promise from him to look better after his soul than he had done, he passed to Cantire. There he found the people better disposed, visited twenty villages, converted over a hundred from atheism and heresy, baptized sixty. Then, afraid of the fury of the Puritans, he, with one companion, a youth of sixteen, went to the island of Arran, where in seven days he converted only a few, as the people are stubborn Calvinists. Thence he went to the island of Cuin, four miles off, reconciled to the Church all the natives, nineteen in number, and baptized six grown boys. In Cantire a minister, finding no one in his church but the sexton, got soldiers together, armed with swords, pikes and long knives, and went to the place where Father Galwey was hearing confessions; but the latter had time to take shelter in a hut some way off. The converts were frightened at the furious threats of the minister; the priest comforted them by his words, and by reminding them of the constancy of the Irish, of which they were well aware. On another occasion the Jesuit had to hide in a cave exposed to wind and rain. He had many other hair-breadth escapes by day and night. The Irish-Scots of the isles told him that it was prophesied that a *servant of Patrick* would come from Rome to their help, and that some had a foreboding that he would arrive at that time.<sup>1</sup>

The next account we have of Father Galwey is that published by Cardinal Moran in his *Life of Most Rev. Oliver Plunkett*. The narrative is based on a Jesuit *Relatio* published in *Spicilegium Ossoriense* (vol. ii. p. 54):—

Father David Galwey was renowned throughout the Irish province for his piety and zeal; three times did he set out for the missions of Scotland. On the first occasion he travelled as a merchant, yet could convert none of the islanders to the profession of the Catholic faith such was their terror of the Duke of Argyle, a bitter enemy of the Catholics and lord of that territory. When returning to Ireland, all sad for the bad success of his journey, the Scotch sailors, who themselves were imbued with Calvinism, surprised that, though he styled himself

<sup>1</sup> The extracts from Father Holywood's letters are taken from Father Hogan's *Distinguished Irishmen of the Sixteenth Century*, pp. 467, 472, 494.

a merchant, yet he had purchased no goods, asked him for what object he had undertaken so long a journey? The good Father replied that he was indeed a merchant, but of merchandise far more precious than all earthly goods, and that he sought for souls redeemed by the most precious blood of Jesus Christ. The sailors, reasoning amongst themselves, declared with one accord that that religion should be true which could inspire such a desire for the salvation of souls, and before the vessel reached the Irish coast he had the consolation of receiving these straying children into the fold of Christ. On his second and third mission his labours were crowned with abundant fruit: in some districts whole towns, parents as well as children, received the Sacrament of Baptism; and on one occasion, so incessant was his toil in instructing the poor mountaineers, that for five months he never changed his garments, though often compelled to rest at night exposed to the rain and the inclemency of the weather. Such was the hatred conceived against him by the heretics that they publicly sent round his likeness in order to secure his arrest. But the good Father safely passed through their hands, though not without a manifest interposition of Providence; and sometimes, too, employing the artifice of declaring himself a merchant, and bringing around some sacks in corn, as if they were samples, the better to disguise his true mission.

In 1662 Alexander Winster was appointed Prefect of *all* the Scottish missions, and in his report to the Sacred Congregation he states there were six thousand Catholics in Scotland, and that the clergy consisted of eleven Jesuits, three Dominicans, and six secular priests, all maintained by Propaganda. These priests were, for the most part, confined to the lowlands, very few being willing to undertake work in the Hebrides and Highlands.

A *Relatio* of Dr. Winster's, dated 1669, gives a graphic description of the social and economic conditions under which the poor missionaries had to labour:—

The mountainous districts [he writes] are barren, and during five or six months of the year scarcely yield to the inhabitants sufficient oaten or barley bread; towards the sea there is an abundance of fish, and everywhere there are large flocks of sheep and cattle; the people live on cheese, milk and butter; the lower classes are often without bread. The highlands have no commerce with foreign nations, but sell their cattle to the inhabitants of the lowlands to purchase flour; this is the reason why the missionaries who visit these districts are obliged not only to bring with them bread and wine for the Holy Sacrifice, but also food and every other necessary, not without very great inconvenience. There are no post offices, and no means of sending letters unless one sends them by hand to the chief city of the kingdom. The language of the inhabitants is Irish, wherefore only natives of Ireland are suited for these missions, till such time as priests from the districts themselves be educated in the colleges in the Continent. The Catholics live in peace in the district of Glengarry under Earl MacDonnell; also in these



mountainous districts which belong to the Marquis of Huntley, and in the islands of Uist, Barra and Maw, which are the most remote from the government residences. . . . The present missionaries are two Franciscan friars, viz., Father Mark and Father Francis MacDonnell, sent thither by the Sacred Congregation ; there is also one secular priest (a missionary of the Sacred Congregation) whose name is Francis White, and a schoolmaster in the Glengarry district named Eugene MacAlaster. The Father White whom I have mentioned often visits these islands and the lands of Glengarry and all the mountain districts, so far as he is able, and in doing so he endures great fatigues and suffering, willingly, however, on account of his great zeal for the salvation of souls ; hence all this country is greatly indebted to him, and he is a native of Ireland. The schoolmaster is scarcely tolerated in Glengarry despite the protection of the lord of that territory ; and there is but little hope of another master being found to succeed the present one in that toilsome position. There was also another Irish missionary in the highlands, named Duigen ; he, however, has left that mission, and now Father White alone remains.

The few missionaries who are in the mountainous districts are wholly insufficient for the wants of the Catholics, especially in winter, when the roads are almost impracticable ; wherefore we pray that other Irish priests may be sent thither, and Father White undertakes to find such priests through his brother, who is Vicar in the diocese of Limerick, in Ireland ; this is the more necessary as the Franciscans on account of their bad health cannot long continue on that mission.

The Father Duigen mentioned by Dr. Winster was probably one of the missionaries sent to the Hebrides by St. Vincent de Paul. St. Vincent's biographer, Abeilly, in his account of the Lazarists' mission, states that St. Vincent selected two Irish priests for the work, to whom a third, a Scotch man, was afterwards added. Cardinal Moran mentions a letter published by Abeilly 'written by one of these missionaries, the Rev. Mr. Duignin, or Duggan, which gives an accurate account of his labours in the Western Highlands.' Father White was probably the other Irishman selected by St. Vincent. On his death in 1679, Dr. Winster pays tribute to his labours, and says, 'he might justly be styled the Apostle of the Hebrides and the neighbouring districts.'

St. Vincent, like all others interested in this great work, recognized that it must be entrusted to Irish-speaking priests. We have already seen the emphasis Dr. Winster laid on this point. Dr. Burgatt also emphasizes it :—

In a petition addressed by him to the Holy Father, in his capacity as agent of the Irish clergy in Rome, he pleads for the appointment of Bishops to the vacant sees in Ireland, using the argument that thus the Scottish Church, then almost wholly destitute of priests, might be increased. The Scotch [he writes] have but few ecclesiastics of their own

nation ; fruitful missions, however, were often given there from Ireland : for they freely receive instruction from the Irish priests, on account of their having the same language as well as the same origin. All, but especially the Scottish islanders, so hate the English that they even seem to abhor all who speak the English language.

### III—VEN. OLIVER PLUNKETT AND THE SCOTTISH MISSIONS

On the appointment of Dr. Oliver Plunkett to the See of Armagh, he was entrusted by a special Rescript, dated September 17, 1669, with the guidance of the missions, and many letters of his to Propaganda show how earnestly he took to heart his duties towards them.

One of these, dated immediately after his arrival in Ireland, proves that he lost no time in turning his attention to the work that awaited him :—

When I assemble the vicars of the province I shall send your Excellency the names of the missionaries for the Scottish islands ; three have already offered themselves for that mission, but before I accept them I will examine them as to learning, and I will go to their own districts to see what is the tenor of their lives. You may rest assured that those I will send shall be men of sufficient learning and of holy life. Their stipend might be the same as is given to the other missionaries of Scotland, especially as these islands are even poorer than Scotland itself. When I transmit to you their names and the attestation of their merits, I am sure that your Excellency, in the fulness of your zeal, will do all that is necessary for the advancement of this holy work. There is one missionary in these islands, named White, who is supported there by Daniel Arthur, an Irish merchant in London.

Later on we find the Primate visiting the Marquis of Antrim in connexion with the needs of the mission, and announcing his own intention of visiting the Hebrides in person :—

The visitation of the Hebrides yet remains [he wrote to the Secretary of Propaganda on February 23, 1671] but if the Sacred Congregation does not write to the Marquis of Antrim we shall be able to effect nothing. This nobleman has great influence in these islands, but he is in every respect not unlike Mgr. Albrici, good and prudent, but slow and scrupulous in everything. I remember that Mgr. Albrici could not find in all Italy a servant to suit him : the Florentine was too talkative ; the Milanese was giddy ; the Romagnese was stupid ; the Neapolitan was light-fingered ; the Roman was too sad. And so it is very difficult to find people to suit the Marquis of Antrim. I proposed to him no fewer than twenty priests, but he had something to say against every one of them ; and in regard to Ronan Magin<sup>1</sup>—a man

<sup>1</sup> Ronald Magin was the Vicar-General of the Dioceses of Down and Connor. In another place Dr. Plunkett describes him as 'sufficiently learned, he studied theology and received the doctorate in Rome.'



truly suited for the task—he remarked that he seemed too hasty and presumptuous and proud. The chief cause of the delay, however, is the treaty of union between Scotland and England, as I mentioned in a former letter. The Marquis sent three priests to these islands to administer the Sacraments of Penance and the Eucharist during Lent; after Easter they returned, and they would not consent to remain in them for the whole year, as they have good parishes in the County Antrim. Moreover, they are very old, and but ill-suited for the labour of these islands. A courteous letter to this nobleman, commending his piety and his zeal for the spiritual profit of these souls, and commemorating also the piety of his ancestors, will be very efficacious in promoting this matter. I was with him for three days at his house in Dunluce; it is a noble building; the palace is perched on a high rock, which is lashed on every side by the sea; it is only twelve miles from the nearest of the Hebrides. Mgr., this letter is necessary, as the Marquis is the only Catholic nobleman who can assist me in this mission, and without his aid I shall have to run many risks.

In June, 1671, the Primate speaks of his intended visit to the islands: ‘I need your assistance to enable me to visit the Scottish islands, that is, the Hebrides; without your assistance I can do nothing. It will be necessary for me to bring a priest and a servant with me, and to dress after the manner of these people, which is very different from that of every other part of the globe.’

The visit was probably made in the Summer of 1671, but unfortunately the *Relatio* referring to it has been lost. In a letter to Propaganda, dated September 29 of that year, he shows his great interest in the islands by the warmth with which he commends them to the care of the Sacred Congregation: ‘I recommend to you the Scottish islands. The poor creatures are dying from spiritual hunger, having none to break to them the bread of Christ; let us reap the harvest whilst it is ripe, and let us gather in the vintage before it is destroyed by the hail and the tempest.’

There was indeed in the conditions of these poor islanders, ‘dying from spiritual hunger, having none to break to them the bread of life,’ enough to touch harder hearts than that of our saintly Archbishop. The *Relatio* of a Scotch priest, who made the circuit of all these districts about this time, pays tribute to their constancy, and makes us realize how much they had to suffer, and how deplorable it was that a people, as instinctively Catholic as even the Irish themselves, should, through sheer spiritual starvation, fall away from the faith.

The highland families are, for the most part, Catholic, or prepared to be so, if they had priests to instruct them; those, however, of the

lowlands are most fierce heretics, and hate the highlanders on account of their religion. The highlanders are of an excellent disposition, quick of intellect, and taking a special delight in the pursuit of knowledge; they are fond of novelties, and have an unbounded passion for ingenious inventions, so that no greater favour can be conferred on them than to educate their children, and render them suited to become priests or ecclesiastics. Their untiring constancy in all matters is truly surprising, and is admitted and extolled even by their enemies, particularly in regard of religion, which they continue to profess, as much as the severity of the persecution and the total want of priests permit.

Their arms are two-edged swords, large shields, bows and arrows, which they still continue to use, adding to them, however, firearms, which they manage with admirable dexterity. They still retain the language and costume of their earliest forefathers, so that their dress is not very dissimilar from that of the ancient statues in Rome, loosely covered from the waist to the knee and a *bonnet* on the head.

Almost all the families are Catholic, or disposed to receive the Catholic faith, if for no other reason, at least to imitate their ancestors, who were so jealous in the cause of religion. Nay, more, many of these families have suffered, and actually suffered for the sole reason, not only in Parliament, where the nobility of the lowlands have a large majority, but also in the Courts of Justice, where they are oppressed by the greater number and authority of their enemies; and the heretic judges give sentence against them, even though their cause be most just, deeming them rebels for not conforming to the established religion.

The remaining Scoto-Irish are heretics more through ignorance than malice; they cease not, however, to cherish a great esteem for the Catholics, as appears in many things. If a priest visits them they show him more respect, and honour him more than their own ministers. In fact, the heretics amongst the highlanders surpass in reverence for our priests the very Catholics of the lowlands. They, moreover, retain many Catholic usages, such as making the Sign of the Cross, the invocation of the saints, and sprinkling themselves with holy water, which they anxiously ask from their Catholic neighbours. In sickness they make pilgrimages to the ruins of the old churches and chapels which yet remain, as of the most noble monastery of Iona, where St. Columba was Abbot, also of the chapels of Ghurlock and Apperosse and Glangarry, which were once dedicated to the saints. They also visit the holy wells, which yet retain the names of the saints to whom they were dedicated; and it has often pleased the Most High to restore to their health those who visited these ruins or drank at these springs, invoking the aid of the saints.

All through the eighteenth century Irish missionaries were found to minister to these desolate souls—at least as long as Ireland remained mainly Irish-speaking. When we lost our language we lost many other things; and it is not without significance that the great recrudescence of the conscious national missionary spirit, typified in the work at Dalgan Park, is, by the admission of its founders, a product of the Irish revival. The work of the Irish



missionaries has received scant acknowledgment at the hands of the official historian of Catholicity in the Highlands. We find a casual reference to 'Father Peter, a holy Irish priest who resided in Glengarry,' and paid occasional visits to Lochaber before 'Maighistir Ian Mor' (Rev. John MacDonald) took up his permanent abode in it in 1721. Of another priest, who also laboured in Lochaber and Glengarry, Dom Odo Blundell, O.S.B., gives a more detailed account. He describes him as

The famous Mr. MacKenna, an Irish priest of gigantic stature and prodigious strength. Many anecdotes of his prowess are still related in the country, from all of which it appears that he was the person exactly suited to the times and the kind of people with whom he had to deal; for if anyone dared to show him any want of respect, or to disobey his spiritual authority, such a one was sure, in case other arguments failed to produce their effect, to feel the weight of his powerful arm. He governed this mission (Lochaber), which in 1763 numbered three thousand communicants, for about six years, with beneficial results. On leaving Lochaber he retired from the Scottish mission, and sailed to Canada with three hundred Glengarry emigrants.

On the mountain slopes and valleys of South Derry, especially around Maghera and Granaghan, there still linger many memories and traditions of the celebrated Dominican missionary, Friar O'Brolachain, whom the people prefer to call the 'Friar Bàn.' One of these legends tells of his missionary journeys to Scotland—whither he went disguised as a sheep drover with his flock of sheep. As he passed from one Catholic household to another they knew him by his watchword: 'To them that have no sheep, I leave a sheep; from them that have sheep, I take a sheep.'

Will the Isles and the Highlands ever become Catholic again? And what part will Irish-speaking Ireland claim in the glorious work? There is a warrant for hope in the prophecy of Columcille:—

In Hy of my heart, in Hy of my love,  
For the voice of the monks the cattle shall cry.  
But ere the world comes to the ending of time  
As it was on a time so it shall be in Hy.

H. CONCANNON.

# NOTES AND QUERIES

## THEOLOGY

### SOME QUERIES REGARDING COMMUNION AND MASSES

REV. DEAR SIR,—I have read the article on 'The Mass and the Eucharist in the New Code' (I. E. RECORD, February, 1918), and I do not want you to re-state what is given there. But a few matters recently came up for discussion, and I should be obliged for a short reply to the following queries:—

1°. Do the prohibitions of the *Ut debita* in regard to handing over Mass honoraria to booksellers, traders, etc., still remain in force?

2°. Has there been any decision regarding the *Ut debita* rule—'one Mass one month, one hundred Masses six months, others less or more in proportion' (I. E. RECORD, p. 113)?

3°. Has any further light been thrown on the parts assigned to parish priests and confessors, respectively, in connexion with First Communion (Ibid. p. 115)?

4°. What is the meaning of the obligation imposed on Ordinaries and religious Superiors to have Masses celebrated 'quam primum' (844, § 1)? Why should they be bound by stricter laws than ordinary priests are subject to (834)?

RELIGIOSUS.

1°. As strict laws, binding under pain of censure *latae sententiae*, they have come to an end—in accordance with Canon 6 (5°, 6°). But they are so closely in harmony with the general prohibition against trafficking in Mass-honoraria (827) that they must still, we think, be retained as directive principles. Their violation may easily lead to censures *ferendae sententiae* (2,824).

The same cannot be said of the decrees (of 1907) concerning transference of honoraria to priests not personally known, to priests in the East, etc. They would seem to be not only unmentioned in the Code, but *opposed* to the liberty guaranteed by Canon 838, and, therefore, completely abrogated (6, 1°). But we have stated that already.<sup>1</sup>

2°. No decision has been given. But it would be a pity, we think, to give up the rule: it is a good directive principle and very convenient. A former correspondent, with a taste for mathematics, gave a practical rule governing all cases in which Masses are offered for the same intention<sup>2</sup>: 'Increase the number of Masses by fifty per cent., add thirty,

<sup>1</sup> I. E. RECORD, February, 1918, Fifth Series, vol. xi. p. 112.

<sup>2</sup> Ibid. May, 1917, Fifth Series, vol. ix. pp. 408, 409.



and you have the number of days allowed for fulfilling the obligation.' If, for instance, the number of Masses is 50, then  $50 + 25 + 30 = 105 =$  the number of days allowed. If 100, then  $100 + 50 + 30 = 180$  (days)  $= 6$  months (the time prescribed by the *Ut debita* decree).

3°. No light has been thrown from any legislative source. But writers are busy on the question. We may quote the following solution from a recent work by Fathers Creusen and Vermeersch<sup>1</sup>:—

Quaeri demum potest, quomodo, de dispositione puerorum, iudicium quod confessario et parentibus permittitur cum officio vigilantiae parochorum componatur?

Hac, ni fallimur, ratione. De singulis pueris, parentes et confessarii iudicare possunt, nec parochum monere vel consultum adire debent. Simul generalis quaedam inspectio, quasi fori exterioris, parochus committitur observandi quinam pueri accedant vel communicare omittant. Tunc, si ex accedentibus quosdam imperitiae suspectos habeat, illos etiam per examen probare potest; posteriores vero quos aptos vel disponendos existimet, ad sacram communionem perducere conabitur. In utroque casu, oportet ut auctoritate valeat apud parentes; stricta tamen obligatio ipsi parendi iure non imponitur. Sed non possit parochus, hoc canone 854 fretus, primam puerorum communionem in sua parocchia condicioni praevisi examinis generaliter subordinare.

4°. The reasons for the comparatively stricter legislation would seem to be:—

1°. The Superiors in question are often given honoraria that ought to have been attended to during the previous twelve months (841, § 1). The advisability of having the corresponding Masses said within a shorter period than usual—if possible, '*pro viribus*'—is obvious.

2°. The donors, knowing that the Superiors have many subjects on whose assistance they can rely, often offer them a large number of honoraria in the confident expectation that the Masses will be said sooner than if application were made to a solitary priest. The intention implied in their action must naturally be taken into account—and the period shortened accordingly.

But, when neither of these considerations holds, it does seem strange that there should be any obligation more strict than that affecting ordinary priests. And, we believe, really none exists. The law must be viewed in the light of its purpose.

#### DOMICILE, QUASI-DOMICILE, AND FUNERAL OFFERINGS

REV. DEAR SIR,—Would you kindly solve the following difficulty for me:—

Caius, who was a native of this parish (A), left about fifteen years ago to become a lawyer's clerk in parish B. He returned to his father's house every Friday or Saturday, and remained over till Monday morning, and consistently followed this custom until he died a few months ago. He died in hospital in parish C, and I paid the '*quarta pars*' to the priests of the last-mentioned place. He was buried here in A, which

<sup>1</sup> *Summa Novi Iuris Can.* n. 332.

he always regarded as his parish. The priests of B seem to think that they have a claim to the remainder of the offerings. Kindly let us know our obligation in the matter.

A.

On the principles generally accepted we think :—

1°. That the deceased had a quasi-domicile in parish B. Fifteen years' residence, varied only by an absence of two days each week, and obviously intended (in a vague way at least) from the beginning, would seem to supply ample evidence of the conditions required. The case has occurred under the Code : on that account we have still less reason for doubt (92, § 2).

2°. That he retained his parental domicile in parish A. There is nothing said of his getting married or adopting any position incompatible with the intention of retaining it as his home. His regular residence of two days each week, coupled with the fact that 'he always regarded [A] as his parish,' show clearly enough that he retained the 'affectus domicilii' on which such stress is laid in the documents. When he returned, we may be sure, he was far from being regarded as merely a welcome visitor.

So that he had two parishes (Can. 94, § 1). And, since the query comes from the province of Armagh and must be answered on the basis of the local statute, the financial consequences are :—

1°. That the 'quarta pars' was due to the priests of C, provided the custom of collecting funeral offerings prevails in that parish.

2°. That the remaining three-fourths go to the parish priest of his own parish. But there are two : to which of them ? The Armagh statute says nothing on the point. But the general law comes to the rescue. 'Si quis habeat plures parochias proprias ad quas cadaver commode deferri posset, et alibi funeretur, portio parochialis dividenda est inter omnes parochos proprios' (1236, § 2). The fact that the deceased was buried in parish A gives the priests there no special claim in view of the Armagh 'ubicunque celebretur funus'—and the same little clause nullifies any objections based on the 'et alibi funeretur' of the general law. The 'division' is, of course, an equal division ; so that three-eighths of the offerings to go parish A, and the remaining three-eighths to parish B.

#### DIFFERENCE OF WORSHIP

REV. DEAR SIR,—My attention has been directed lately to the I. E. RECORD (February issue, 1919, pp. 125-6). Regarding the impediment of disparity of cult, I find the following statements : the 'impediment is now restricted to marriages in which the Christian partner has been baptized in, or converted to, the Catholic Church'; 'from the point of view of validity of marriage, it makes no difference whether the partners are pagans or have been baptized as Anglicans, Calvinists, Methodists, or non-Catholics of any other type. Nothing less than the Catholic baptism of one, combined with the non-baptism of the other, will now give rise to the impediment.'



That would suit some of us here very well just at present. We have had several cases of conversion; and the matrimonial complications would give less anxiety if we could apply the simple principle just quoted. But a few of our experts have been reading up the subject, and are inclined to disagree with you. They are afraid, I mean, that the marriage of (say) a certainly baptized Anglican to a certainly unbaptized Anabaptist is invalid under the Code.

Their reasons (which I am asked to forward) are:—

1°. A marriage of the kind just mentioned was certainly invalid under the old law. Neither Canon 1070 nor any other Canon mentions such a marriage at all. Therefore, in accordance with Canon 6 (No. 4°), we should maintain the old legislation.

2°. From Canon 12 we may conclude that baptized non-Catholics are bound by ecclesiastical laws, unless when expressly exempted. From the impediment of disparity of cult they are *not* expressly exempted. Therefore they are bound just as much as Catholics.

3°. Among the decrees cited, under Canon 1070, in Cardinal Gasparri's annotated edition, there are some that refer to marriage between a baptized Protestant and a person not baptized at all. Canon 1070, therefore, has the same class of case in view—the Anglican-Anabaptist marriage mentioned above is one of the type.

Perhaps you would let me have your views on the matter. I note, by the way, that you speak of 'difference of worship'; here we generally refer to it as 'disparity of cult.'

SAXON.

For the opinion expressed in the extracts quoted, and indeed for most of the views advocated in the article from which they are taken, we could quote very few authorities: the subject had not been discussed very fully by the men on whom we could place reliance. Some of them have written since. We shall refer to them in a moment. But, as 'Saxon' bases his views principally on intrinsic reasons, it will be better to follow his example. We are grateful to him for his letter: his opinions, we are sure, are held by many; it is only by a discussion of the arguments for and against that we can arrive at any conclusion worth recording, and put ourselves in a position to appreciate the decision that may be ultimately given.

That decision, we admit at once, may be in favour of 'Saxon's' view. Opinions much better based than the one we expressed have been already rejected, and we have no doubt the process will continue. But in the meantime we can be humanly certain of many things; and the point at issue just now is one of them, we think. When the decision comes we may find we are wrong; until it comes we believe we are right.

And for the following reasons:—

1°. Canons 1067-1080 give *all* the diriment impediments. They make no mention of a diriment impediment between a baptized Protestant and a pagan. Therefore, no such impediment exists. 'Quod legislator tacuit nolit.'

'Saxon' will presumably reply that, since the same section (1067-80) says nothing of the impediment mentioned, it does not *contradict* the old law; that the old law, therefore, must still be maintained (6, 1°).

But he will remember, 1°, that a general disciplinary law, of which no mention (explicit or implicit) is made in the Code, has lost all force (6, 6°); 2°, that a subsequent law abrogates the law already in existence when it 'arranges the whole subject-matter anew' (22). If he wants to test the accuracy of his principle he will note that Canon 1076 is silent about blood relations in the fourth degree (collateral line), Canon 1077 about those connected by affinity in the third or fourth (collateral), Canon 1078 about those validly engaged, Canon 1080 about adopted persons incapacitated by Roman law but not by modern civil legislation. Under the pre-Code Canon Law all these were affected by a diriment impediment. Are they still? If 'Saxon' denies it, he rejects his principle, for the section (1067-80) 'says nothing' about them. If he asserts it, he makes the new Code a sham and all the commentators lunatics.

2°. Canon 1070 (§ 1) modifies the old law. In its statement that 'a marriage is void if contracted by a non-baptized person with one baptized in the Catholic Church or converted to the same from heresy or schism,' the words we have italicized are new. They must, therefore, be interpreted, not in the light of the old law, but on their own merits (6, 3°).

Now, on their own merits, they must mean *something*. But they mean nothing whatever if 'Saxon' is right. For, according to him, the whole truth is found in the unitalicized portion of the statement, and in it exclusively: whether the baptized person was a Catholic from the first, or from the time of conversion, or was not a Catholic at all, makes no manner of difference. It seems to us a forced interpretation. The words of the Code are carefully selected and scientifically stated. Does 'Saxon' mean to convey that a dozen or so have been thrown in to round a period, and that the whole 2413 Canons are only a series of traps and pit-falls?

In reply to his reasons we would say, respectively,

1°. We must stand by the old, when there are good grounds for doubting whether the new differs from it (6, 4°). Not when the difference is as plain as a whole new clause can make it;

2°. We admit that baptized non-Catholics are bound by ecclesiastical laws except when clearly exempted—as, we think, is the case in the present instance. For 'express' exemption we see no need, though we almost have it in the case under discussion. Canon 12 does not imply it: its teaching is that laws merely ecclesiastical do not bind 'those who have not received baptism, nor the baptized who either have not attained a sufficient use of reason or, though they have attained the use of reason, have not yet completed their seventh year, unless express provision is made by law to the contrary.' The exceptive clause can hardly refer to the first class—the only one that interests 'Saxon' just now—for, according to the best view (borrowed from St. Paul), the Church's jurisdiction cannot extend to the unbaptized, and no 'express provision to the contrary' would be of any avail. Above all, its application to the converse class—the baptized not included in the second and third categories—is too remote to be of any practical



importance. Two classes of baptized—who *are* exempt except there be express provision—are mentioned; whether there be another class, who *are not* exempt except with express provision, the Canon gives us no sufficient grounds for deciding.

3°. As regards his third argument—drawn from the documents cited under each Canon in the annotated edition—we need add nothing to remarks made already. The documents, 'important as they are, are no portion of the Code. If the opposite is ever defined, it will mark a sad development in Canon Law; all the chaotic legislation of the past will sweep over us again, and the Code will be only a straw on the waters. But the contingency is too remote to give us any anxiety. In the sources referred to in the "notes" there are documents out of harmony with the new legislation; there are many in complete contradiction, only a few can be said to be in thorough agreement. The object in giving the references is to direct attention to the laws that we must keep in mind when we apply the rules of interpretation given in the first six Canons (of the Code). We had them all already, but the "notes" help us to recall them. That is all.'<sup>1</sup> Some months later we asked for the protection of the same principle: 'the documents must be employed with caution. Some of them are partially opposed to the Canons, as we are reminded by Cardinal Gasparri in his Preface (p. 37): "*vix animadvertere attinet canones haud semper cum suis fontibus omni ex parte in sententia congruere.*"'<sup>2</sup> That is true generally; it is true especially of the Canons under review (1067-80); it would be hard to discover another section in which the documents, if accepted as authoritative, would lead to such widespread confusion and open contradiction.

Of those who have written recently we may quote a few. Father Barrett states:—

Non habetur impedimentum inter personam baptizatam in haeresi nec ad fidem conversam et non baptizatam. . . . In hoc impedimento contrahendo una pars baptizata in Ecclesia Catholica vel ex haeresi vel ex schismate conversa supponitur. Altera pars non est baptizata. Baptismus in ecclesia Catholica vel ad eam conversio ex schismate aut haeresi ex una parte se habet, ex altera nullus baptismus.<sup>3</sup>

Aertnys puts it this way:—

Subjectum impedimenti dirimentis ecclesiastici qua talis sunt solae personae in Ecclesia Catholica baptizatae vel ad eandem ex haeresi aut schismate conversae.<sup>4</sup>

Father Arregui's comment amounts to the same:—

Differt hoc impedimentum ab antiquo: etenim ante Codicem dirimebat matrimonium inter non baptizatum et baptizatum in qualibet Ecclesia, quamvis non ad catholicam conversum.<sup>5</sup>

<sup>1</sup> I. E. RECORD, January, 1919, Fifth Series, vol. xiii. p. 61.

<sup>2</sup> Ibid., June, 1919, p. 511.

<sup>3</sup> Sabetti-Barrett, *Compendium*, p. 888.

<sup>4</sup> *Th. Mor.*, ii, n. 723.

<sup>5</sup> *Summarium*, n. 757.

And so does Father Creusen's:—

Maxima introducitur his verbis [Canonis 1070, § 1] iuris mutatio. Ab hoc enim impedimento immunes sunt quotquot extra Ecclesiam Catholicam baptizati nec ad eam conversi sunt. Qua sapienti provisione consulit Ecclesia validitati quam plurimorum matrimoniorum. Hoc autem eo magis erat notandum, quod etiam in Europae regionibus, crescente numero infidelium, ubi praesertim haeresis grassatur, disparitas cultus plura in dies matrimonia afficiet.<sup>1</sup>

Others write in the same strain. But we have pursued the matter far enough.

'Saxon' is quite within his rights in speaking of 'disparity of cult.' As a translation it does not rank very high, but it preserves the tone of the original.

M. J. O'DONNELL.

## CANON LAW

### ARE PARISHES BENEFICES?

REV. DEAR SIR,—In your article in the issue of June, 1919, page 483, 'The New Code of Canon Law : Parish Priests,' it is stated: 'Canon 1410 expressly declares that either the certain and voluntary offerings of the faithful, or stole fees, within the limits of diocesan taxation or legitimate custom, may constitute the endowment of a benefice. The most practical conclusion from this is that parish priests will now be certainly bound to expend their superfluous revenues on the poor or on pious purposes.' Does this conclusion imply that a parish supposes a benefice, so that where there are parishes there are *ipso facto* benefices? Surely to reason thus would be to argue from *posse* to *esse*. According to Canon 1418 a benefice does not exist until it has been formally constituted as such. Nor is it necessary that a benefice should be attached to the office of parish priest. Canon 1415, § 3, allows a new parish to be set on foot where it is impossible to provide the necessary endowment for a benefice, provided that what is necessary for carrying on can probably be supplied in other ways. Canon 1410 seems to say that a benefice, from the material point of view, is church property definitely constituted to be a benefice by ecclesiastical authority by means of a document which shall declare the place to which the benefice is attached, and the property or 'dos' which constitutes it. The revenues of the benefice are the income derived from the sources which constitute the benefice, and not from the property of the parish generally.

PERPLEXED.

To answer fully the difficulties raised by our correspondent it is necessary to discuss at some length the general question of the relation between a benefice and a parish.

Canon 1409 gives the definition of benefice. 'An ecclesiastical benefice,' it declares, 'is a juridical entity constituted or erected by competent

<sup>1</sup> *Summa Novi Iuris Can.*, n. 433.



ecclesiastical authority, consisting of a sacred office and the right of receiving revenues from endowments attached to the office.' Consequently, under the Code as previously, three conditions are required for a benefice: 1°, A sacred office; 2°, the right of receiving revenues from endowment attached to the office; 3°, erection by ecclesiastical authority. That the first condition is verified in a parish there never has been, nor can there be, any doubt; we may, therefore, dismiss it without further remark. The second condition gives rise to more difficulty. The definition by itself, apart from the subsequent explanations of it, would seem to imply the necessity of having a certain amount of ecclesiastical property set aside from the revenues of which the rector of the benefice would derive his income. As a matter of fact, it was the too great insistence on the superficial meaning of the definition that led many to hold, prior to the publication of the Code, that the second condition was not fulfilled, if the only revenue to which the rector had a right was derivable from the certain and voluntary offerings of the faithful. That position is no longer tenable. According to Canon 1410:—

The endowment of a benefice is constituted either by property, the ownership of which pertains to the juridical entity itself, or by certain and obligatory payments of any family or moral personality, or by certain and voluntary offerings of the faithful which appertain to the rector of the benefice, or, as they are called, stole fees within the limits of diocesan taxation or legitimate custom, or choral distributions, exclusive of a third part of the same, if all the revenues of the benefice consist of choral distributions.

Clearly, then, the second condition is sufficiently fulfilled, if to the sacred office is attached the right of receiving revenue from the certain and voluntary offerings of the faithful, or from stole fees or from both: Nor is it necessary that the revenues should be sufficient for the maintenance of the rector: there is nothing in the definition to that effect. It is true, indeed, that in Canon 1415, § 1, it is stated that benefices should not be erected unless with a suitable endowment; but this does not imply that, if the endowment is not suitable, the erection is invalid; and, besides, a suitable endowment will sometimes not imply sufficiency for maintenance, as in the case of compatible benefices.

An important qualification of the third condition is contained in Canon 1418, which prescribes that 'the erection of benefices should take place by means of a legitimate document, in which is defined the place where the benefice is erected, and in which are described the endowment of the benefice, and the rights and obligations of the benefited person.' As this law has no invalidating clause, either expressed or implied, clearly its observance is not necessary for the validity of the erection; and this, too, is quite in accordance with the teaching prior to the Code. Accordingly, although the intervention of the competent ecclesiastical authority is required for the erection of an ecclesiastical benefice, it is not by any means necessary now, nor was it so previously, that for the validity of the erection this intervention should take place in writing.

From all that has been said it follows that whenever you have a sacred office to which is attached the right of receiving revenue from endowment constituted in any of the ways mentioned in Canon 1410, and when this has been established by competent ecclesiastical authority, even though the establishment has not taken place in writing, you have a benefice in the real sense of the term.

There is a further prescription which has also an important bearing on the matter with which we are dealing. Canon 1415, after prohibiting, in its first section, the erection of ecclesiastical benefices without a suitable endowment, declares, in its third section, that 'it is not, however, forbidden, where a suitable endowment cannot be constituted, to erect parishes and quasi-parishes, if it is prudently foreseen that those things which are necessary will be provided from other sources.' It follows, therefore, that whenever a suitable endowment is available from any of the sources mentioned in Canon 1410, it should be constituted in the erection of a parish; and that a parish may be erected without a suitable endowment only when it is impossible to provide one. In order that an endowment may be suitable (*congrua*), in the case of an incompatible office like a parish, it must be sufficient for the decent maintenance of its rector. Now, it may sometimes happen that an endowment is available from some of the sources mentioned in Canon 1410, though it is insufficient for the purpose mentioned. We think that an endowment of this kind, when available, should be constituted, when a parish is erected in the circumstances dealt with in Canon 1415, § 3; this seems to be implied in paragraphs iii. and iv. of the declaration of the Consistorial Congregation, published in the September issue of the *Acta Apostolicæ Sedis*.<sup>1</sup>

We are now in a position to draw some conclusions on the relations between a parish and a benefice:—

1º. When a parish fulfils the conditions required by Canon 1409 it is a benefice.

2º. The possibility of parishes being erected without any endowment whatever, and consequently of not being benefices in the strict sense of the term, as defined by Canon 1409, is clear from Canon 1415, § 3.

3º. Normally, however, if the regulations of Canon Law are observed, parishes are benefices. We have seen that in the erection of parishes, an endowment, when available, should be always constituted; and we find it very hard to envisage circumstances in which at least some endowment cannot be provided from the certain and voluntary offerings of the faithful and from stole fees. In fact the third paragraph of the declaration of the Consistorial Congregation, already referred to, clearly

<sup>1</sup> 'III. Quod si exiguus aut fluctuans fidelium numerus, vel absolutæ congruæ dotis carentia erectionem quarundam ecclesiarum in paroecias minime suadeant; hujusmodi ecclesiae uti subsidiariae vel capellaniae habeantur intra fines alicujus paroeciae, ejus in ditione ac dependentia manebunt, donec paroecialitatem propriam assequi poterunt.

'IV. In constituenda erigendarum paroeciarum dote praeculis habeantur quae in Codice statuuntur, cann. 1409, 1410, et 1415, § 3.'



insinuates the inadvisability of erecting a parish at all, if there is a complete and absolute absence of endowment. Besides, the Code presupposes that, normally, parishes are benefices. In Canon 1412, *vicariæ parociales non in perpetuum erectæ* are included in the list of juridical entities which have a likeness to benefices, but which do not come in law under the name of benefices. There is no mention, however, of parishes in this list. The conclusion is, therefore, justified that not only are parishes normally benefices, but that, even though they have not all the technical conditions prescribed by Canon 1409, yet in law they are always included under the term 'benefice.' The same conclusion is borne out by the chapters on the erection of benefices, on their union, division, etc., and on their collation, in all of which it is taken for granted that parishes are benefices, or, at least, come under that designation.

4°. In regard to parishes already in existence before the publication of the Code, it is clear, in the first place, from what has already been said, that they are included in law in the term 'benefice,' and hence are subject to all the regulations on benefices contained in the Code; this really is the important matter. It also goes without saying that, if they fulfil all the conditions required by Canon 1409, they are benefices in the strict sense of the term. In Ireland parishes are, we think, benefices in the strict sense of the term. We have heard this denied on the ground that there are no written decrees of erection, as prescribed by Canon 1418. As we have already pointed out, however, written erection is not necessary for validity at present, nor was it so before the Code; even the implicit intervention of ecclesiastical authority in the erection is sufficient, so far as validity is concerned. A parish in Ireland, therefore, usually fulfils all the requisite conditions: it consists of a sacred office to which is attached the right of receiving revenue from the certain and voluntary offerings of the faithful and from stole fees; and in the constitution of this juridical entity competent ecclesiastical authority has intervened at least implicitly.

#### ADMINISTRATORS OF CATHEDRAL PARISHES IN ENGLAND

REV. DEAR SIR,—With reference to your answer to 'Interested' in the June number of the I. E. RECORD (page 516), may I propose a difficulty? It is this. Canon 1423, par. 2, of the Code seems clearly to say that Bishops may not unite a parish with an episcopal or collegiate *mensa*, with churches of religious or other moral personality. In your answer you say that in the same Canon 'the episcopal *mensa* is enumerated amongst the moral personalities to which parishes may be united.'

May I be allowed to add that the title of Administrator in England is not taken to imply what it seems to imply in Ireland, viz., that the revenues of a parish belong to the *mensa* of the Bishop. The title of Administrator seems to have been introduced into England by the then Bishop of Salford in 1875. The Administrator was generally looked upon as practically the head curate to the Bishop, who reserved to himself the administration of the cathedral mission. It is impossible to say

whether since the erection of cathedral parishes this relation has been generally changed. It certainly has not in some cases. If it has not, the obligation of the *missa pro populo* for the cathedral parish would seem to be on the Bishop, to be discharged by himself or by another in his name, and with proper compensation. The latter course, you will remember, was enjoined on the Bishop of Dromore by Propaganda, in 1863.

That a diocesan Bishop should also be a parish priest may raise a difficulty, but that is another question.

INTERESTED NO. 2.

It is hardly necessary to point out that our reply in regard to administrators of cathedral parishes in England was intended to cover the state of affairs which would normally result from the observance of the regulations of Canon Law on this matter; we were not concerned at all with *de facto* conditions which might arise from the neglect of these regulations. It is abundantly clear that a Bishop, without the intervention of the Holy See, cannot retain parochial rights over a cathedral or any other parish. Canons 1422 and 1423 show that it is not within his power to incorporate a parish with his episcopal *mensa* or benefice; and Canons 1437 and 156, § 2, demonstrate his incapacity to appoint himself a parish priest. Now, when the Holy See intervenes, what it usually does is to unite the parish to the episcopal *mensa*: in fact, as far as we can find out, no other form of intervention is contemplated either by the Code or canonists. This union may be either *pleno jure* or in regard to temporalities only. In the latter circumstance, from the very nature of the case, a vicar, with the full spiritual rights and duties of a parish priest, must be appointed. If the union is *pleno jure*, it is evident from Canon 470, § 1 and § 4, that again a vicar must be constituted, and that he has all the rights and duties of a parish priest.

In regard to our correspondent's first objection, we fail to see any contradiction between the statements: 'the episcopal *mensa* is enumerated amongst the moral personalities to which parishes may be united,' and 'Bishops may not unite a parish with an episcopal *mensa*.' The former proposition says nothing as to the authority which must intervene in forming the union; it is clearly true, even though the union can be effected by no authority less than that of the Holy See. Nobody who reads Canon 1423, § 2, in the light of Canon 471, § 1, and of the old discipline and its practical application, can have the slightest doubt that it contemplates the possibility of a union between a parish and an episcopal *mensa*.

It is evident that the condition of things which prevailed before the publication of the Code has nothing to do with the question. If Bishops, without any reference to the Holy See, appoint themselves parish priests, or act as such, in cathedral parishes erected since the promulgation of the new legislation, *de facto* conditions arise with which we neither did, nor do now, intend to deal.

The reply given to the Bishop of Dromore, in 1863, really confirms the view which we have been advocating, though there may be a slight



technical difference between the language in which it is couched and that of the Code.<sup>1</sup> The Congregation of the Council, from which it proceeded, declared that the Bishop should appoint a vicar to administer the parish of Newry, if there was none already in existence; that he should have the Mass *pro populo* offered through him; and that in determining his salary he should have regard to this obligation. Clearly, then, in accordance with this reply, the administrator in the episcopal parish of Newry is bound to offer the Mass *pro populo*.

### THE OBLIGATION OF MAKING A PROFESSION OF FAITH

REV. DEAR SIR,—I was under the impression that when a Canon had made his profession of faith and taken the oath against Modernism, if he were afterwards appointed to a dignity in the same Chapter, which did not confer jurisdiction, it would be superfluous to go through the process a second time. I find, however, that Canon 1406, § 2, states that he ought; the word used is *debet*. Is a strict obligation imposed? An answer would oblige.

CANON.

Canon 1406, § 2, states that 'those who, after having relinquished an office, benefice or dignity, obtain another, even of the same species, should again make a profession of faith in the manner prescribed in this canon.' In our opinion a strict obligation is here imposed; the word *debent* of its nature implies this. It is true, indeed, that some writers admit the possibility of this term having a milder signification. Thus Lehmkuhl, quoting from Reuter, gives the following rule: '*Debet, oportet, fac, abstine, caveant, ne audeant, tenetur*—since they do not always express a certain and true obligation, should be explained from the context and from custom interpreting the law.' Even though this be a correct rule, there can be no doubt that in the present case a strict obligation is imposed. First of all this seems the obvious conclusion from the context. Canon 1406, § 1, clearly imposes a strict obligation to make a profession of faith on those who receive for the first time certain classes of offices, benefices, and dignities; and immediately after Canon 1406, § 2, states that those who, after having relinquished an office, benefice, or dignity, receive another should again make a profession of faith. Obviously the purport of the Canon is to put the two classes on the same footing.

Again, Canon 2403 imposes very severe penalties on those who fail to make the profession of faith prescribed in Canon 1406 without

<sup>1</sup> 8°. An Episcopus Dromorensis qui parochi officium exereet, dum Missam pro suis dioecesanis applicat, suae satisfaciat obligationi, quae sibi uti parochi inhaeret?

<sup>2</sup> Ad 8<sup>um</sup>: Juxta exposita negative et ad mentem. Mens est quod si episcopus non habet in civitate Newry vicarium, qui eam parochiam administret, teneatur eum ibi constituere, ac per eum ipsum debeat etiam satisfacere obligationi Missae pro populo, animadverso tamen quod ad normam § 4 Const. Benedicti XIV, *Cum semper oblatas*, in praefinienda congrua ad illiusmodi onus habeat respectum.

distinguishing between its first and second section. It follows naturally that the obligation imposed in both sections is the same, and that in both cases it is grave.

The fact, too, that under the old discipline those who, after having relinquished an office, benefice, or dignity, receive another, were strictly bound to repeat the profession of faith and the oath against Modernism is a further proof that *debet* in this section imposes a strict obligation.

#### PERMISSION TO READ FORBIDDEN BOOKS

REV. DEAR SIR,—Until the promulgation of the new Code priests in most English dioceses had from their Bishops the faculty ‘*Tenendi ac legendi libros prohibitos, exceptis operibus de obscœnis et contra religionem ex professo tractantibus.*’ Soon after Pentecost, 1918, priests were informed by their Bishops that this faculty was now cancelled. Now, during the last twenty years, I have got together a considerable collection of such books, including some valuable editions, for my library. Am I now bound to make a bonfire of all these works?

PRESBYTER.

In virtue of the *Formula* of faculties which they had in pre-Code days, the English Bishops could grant temporary permission to their priests to keep and read forbidden books except those which professedly dealt with obscene subjects or professedly attacked religion. We expect the Bishops utilized this faculty, generally speaking, by dispensing during pleasure (*ad beneplacitum*); permissions granted in this form are temporary. By the decree of the Consistorial Congregation, issued on the 25th April, 1918, the Bishops lost this power, as well as all the others contained in their *Formula*. As a result concessions *ad beneplacitum* granted by them in virtue of these faculties also lapsed. This was very probably what the Bishops had in mind, when they made the declaration mentioned by our correspondent.

The English Bishops, or at least some of them, had, however, another faculty enabling them to dispense from the prohibition regarding the retention and reading of forbidden books. After the publication of the Constitution, *Officiorum et Munerum*, on account of the peculiar conditions of England, they sought and obtained power to permit the faithful to read and retain forbidden books, except those which dealt professedly with obscene subjects.<sup>1</sup> The Consistorial decree, referred

<sup>1</sup> ‘Cum Apostolicæ Litteræ a Summo Pontifice Leone XIII die 25 superioris mensis januarii editæ circa pravorum librorum prohibitionem nonnullis in Anglia Praesulibus occasionem præbuerint graves difficultates exponendi quæ ob peculiaria illius regionis adjuncta obstant quominus ibi catholici homines ab hæreticorum libris perlegendis arceantur; hinc opportunum visum est Sacrae huic Congregationi Fidei Propagandæ debitis facultatibus sacrorum Antistites in Anglia instruere, ut legis rigor pro rei opportunitate prudenti consilio temperetur.

‘Quamobrem per præsentis Eminentiae tuæ, de auctoritate Apostolicæ Sedis, facultas fit, episcopali munere perdurante, concedendi Christifidelibus tuæ Diocesis, qui eam petierint, licentiam legendi ac retenendi, sub custodia tamen, prohibitos libros etiam contra religionem tractantes, iis exceptis qui ex professo de obscœnis agunt.’



to above, did not withdraw this power; and we have been unable to find any trace of its withdrawal otherwise. Consequently we think that it still continues. Though the primary purpose of the concession was to meet the needs of the laity, still the word, *Christifideles*, is wide enough to embrace the clergy also; and, where there is question of a privilege, as at present, it should be so interpreted. Our impression, therefore, is that at least some of the English Bishops can still permit both the clergy and laity to retain and read forbidden books, except those which deal professedly with obscene subjects.

We sympathize very much with our correspondent. There is no need, however, to have recourse to the desperate remedy suggested. If his Bishop still retains faculties to permit the reading and retention of prohibited books, he can obtain from him the necessary dispensation.

In any case the Holy See can be approached; and this is a matter in which the Roman authorities are always very accommodating, where priests are concerned. In the meantime, whilst a dispensation is being sought, *epikeia* will permit him to retain, and to read also, when necessary, the forbidden books already in his possession.

J. KINANE.

## LITURGY

### NUMBER AND ORDER OF PRAYERS IN A VOTIVE MASS

REV. DEAR SIR,—Kindly explain how many prayers are to be said in a Votive Mass when (as happens in this diocese) an ‘*oratio imperata*’ is prescribed. Take, for example, Thursday, October 30, of this year; how many prayers may or should be said in a Votive Mass on that day? The solution will be useful frequently throughout the year as I find it difficult to get satisfactory information.

PASTOR.

Our esteemed correspondent does not definitely say whether his difficulties centre around a Private Votive Mass or a Solemn or Privileged one, but as he states that ‘the solution will be useful *frequently* throughout the year,’ we take it that he is chiefly concerned with the former. Solemn and Privileged Votive Masses are not very frequent, and are regulated by special rubrics, varying somewhat according to the character of the Mass and the nature and extent of the privilege. In replying to the query, therefore, we confine ourselves to what is commonly known as a Private Votive Mass.

Though a Private Votive Mass may be said on a semi-double as well as on a Feria and a simple feast, it is always of simple rite, and follows, as regards the number of prayers the rubrics regulating a ferial or simple

feast Mass. There is a general rule<sup>1</sup> that in Masses on days of less than double rite three prayers at least must be said. More may have to be added by reason of occurring commemorations, but there should not be less. In the case of semi-doubles the celebrant has no option regarding the order and number of the prayers. If only three prayers are prescribed by the rubrics, three only may be said. But in Masses of simple rite the privilege is granted of adding other prayers '*ad arbitrium celebrantis*' to those prescribed by the rubrics, provided always that the total number of prayers read in the Mass is *odd* and does not exceed seven.<sup>2</sup> In this privilege the Private Votive Mass participates. For example, if in a Votive Mass on a particular day only two commemorations are required by the rubrics, the celebrant may add for his private devotion two or four other prayers, making a total of five or seven.

Now, as to the order of the prayers. The first prayer is that of the Votive Mass read, the second is that of the Office of the day, the third that which would have been the first special commemoration (if such there be) in the Mass of the day, the fourth that which would have been the second, etc. If no special commemorations are prescribed in the Mass of the day, the third prayer of the Votive Mass is the common commemoration proper to the season or to the Votive Mass selected. With regard to those prayers prescribed by the rubrics the celebrant has no option, but he is then at liberty to add others<sup>3</sup> of his own choice in conformity with the rule laid down for Masses of simple rite. The fact that an '*oratio imperata*' is prescribed does not make any appreciable difference in the order or number of the prayers. It does not take the place of one of the three prayers required by the rubrics; nor when it alone is added to the prayers prescribed, does it entail the obligation of seeing that the total number is odd. It is said immediately after the prayers prescribed by the rubrics, and is taken into consideration in computing the total number of prayers only when some are added at the option of the celebrant. It is omitted altogether if it is identical with one of the prayers already said in the Mass, or if more than three are otherwise prescribed.<sup>4</sup>

The Office, according to the Irish *Ordo*, on October 30 is '*de ea*,' and the Mass is, therefore, from the preceding Sunday. If a Votive Mass is read the prayers accordingly should be: first, of the Votive Mass itself; second, of the preceding Sunday; third, the prayer '*A cunctis*'; fourth, the '*oratio imperata*.' To these may be added, '*ad arbitrium celebrantis*,' one or three other prayers, making a total of five or seven. In this connexion the only point likely to cause difficulty is the

<sup>1</sup> There are some exceptions to this rule, e.g., (a) Ferial Masses in Lent in which a 'double' is commemorated; (b) Ferial Masses of Passiontide; (c) Sunday Masses within an octave or when a double is commemorated; (d) days within the octaves or Easter and Pentecost.

<sup>2</sup> S.R.C., 19 Jan., 1906.

<sup>3</sup> The order of those prayers should be that of the Missal.

<sup>4</sup> New Rubrics, tit. xi. It is assumed that the *imperata* is not '*pro re gravi*.'



selection of the third prayer. We have given the prayer '*A cunctis*'—the common commemoration proper to the season—but in the selection of the prayer it is necessary also to advert to the Votive Mass read. The rules guiding the selection of the prayer are substantially those for ferial and simple and semi-double feast Masses throughout the year, and may be found at the beginning of the *Ordo*. The following points, however, should be noted:—

1. In Votive Masses *de Beata Maria Virg.* the prayer '*de Spiritu Sancto*' is always taken as the common commemoration.

2. If the Votive Mass is of St. Joseph, whose name occurs in the prayer '*A cunctis*,' the name is omitted in the recitation of the prayer.<sup>1</sup> If the Votive Mass is of the Titular of the Church or (in defect of a Titular) of the Patron of the place, wherein the Mass is said, either the name is omitted in the prayer '*A cunctis*,' or the prayer '*Concede quæsumus*' is substituted for it.

3. If the Votive Mass is of St. Peter, the second prayer is of St. Paul, and *vice versa*, while the third prayer corresponds to the office of the day.

4. If the '*oratio imperata*' is '*Pro Papa*' and the common commemoration prescribed is given as '*Ecclesiæ vel Pro Papa*,' the prayer '*Ecclesiæ*' becomes obligatory.<sup>2</sup>

5. According to the New Rubrics the Votive Masses *per annum* inserted in the Missal by Leo XIII are abolished, and Private Votive Masses are prohibited during Lent, Quarter Tense, on Rogation Monday, on Vigils, and on Ferials to which a Sunday Mass has been transferred.

**THE NUMBER OF CLERICS REQUIRED FOR THE FUNCTIONS OF THE 'MEMORIALE RITUUM.' THE PRECEDENCE OF NUNS IN THE RECEPTION OF THE SACRED ASHES. SHOULD THE PASCHAL CANDLE BE LIGHTED DURING BENEDICTION?**

REV. DEAR SIR,—The *Memoriale Rituum* is very rigidly observed in the churches of this parish. 1. Is it correct to permit a young altar-boy to carry the chalice to and from the credence table? 2. My idea is that at least one of the servers should be a cleric in the strict sense of the word? 3. Does the rule, 'The celebrant . . . imposes the ashes first on the men, then on the women,' mean that Nuns should wait until all the men in the congregation have received the blessed ashes? 4. Is it correct to light the Paschal candle during Benediction?

PERPLEXED.

If the queries submitted by our correspondent are an indication of the practices prevailing in his parish, we can hardly agree with him that the *Memoriale Rituum* is very rigidly observed.

1. In our opinion it is not correct to allow a young altar-boy to carry the chalice in the manner described. According to the new Code (Canon

<sup>1</sup> Decree 3612.

<sup>2</sup> Decree, 24 May, 1901.

1306, § 1) only *clerics* (i.e., *saltem prima tonsura initiati*) or those who have the custody of the sacred vessels are allowed even to touch the chalice, and no exception is made, as far as we know, for the exercise of the functions of the *Memoriale Rituum*. On the contrary, in outlining the ceremonies of the several functions in the circumstances described by our correspondent, liturgists are careful to state that the duty of bringing the chalice to and from the credence table devolves upon the celebrant. The *Ceremoniale Parochorum*<sup>1</sup> (published through the *Ephemerides Liturgicæ*), in a general introduction to the different ceremonies of the *Memoriale*, says: 'Si clericus tonsuratus non adsit celebrans postquam planetam assumpserit, calicem de credentia secum deferat et in medio altaris more solito collocat.' And a similar instruction is given in each case where there is question of the removal of the chalice. There is also a decree of the Congregation of Rites which may reasonably be taken to confirm this view. Among the replies to a number of queries regarding the assistant or minister at a Bishop's Mass the following occurs:—

Si vero clericus sacra non sit tonsura initiatus potest quidem ab Episcopo aut a Prelato in missa lecta ut minister assumi sed in eo casu calix velatus ante missam ad altare deferatur et more solito in medio mensae super corporale statuatur . . . Calix autem *ab ipso celebrante* suo tempore abstersus et velatus ac in medio mensae allceatus, absoluta Missa, in Sacristiam deferatur.<sup>2</sup>

2. For the due performance of those functions the *Memoriale* clearly presupposes that the celebrant has the assistance of three or four clerics or ministers, and he is expressly warned to see that they are properly instructed in the duties they are to discharge. The propriety of having clerics in the strict sense to discharge those duties is admitted by all, and if they are available it would be in keeping with the spirit and the letter of the *Memoriale* that they should assist. But they are not always available, and in their absence it is generally held that ordinary clerks or altar-boys, carefully instructed beforehand in the duties appertaining to the different functions, may be requisitioned for the purpose. Provided that none of them is required to discharge the duties proper to clerics in the strict sense, e.g., removal of the chalice, the necessity of even one of them being a *tonsuratus* is not insisted upon.<sup>3</sup>

3. The direction of the *Memoriale* regarding the imposition of the ashes—'primo viris, deinde feminis'—should, of course, be carried out as far as the custom and circumstances of the place permit, but it is rather significant that no such direction occurs in the rubrics of the Missal. Where men and women are allocated to distinct divisions of the church, it may not be difficult to fulfil it, but where, as in this country, the faithful take their places in the church indiscriminately, we do not think it either customary or feasible to insist on the rigidity of

<sup>1</sup> Vide *Ephem. Liturg.*, Dec., 1910, p. 736.

<sup>2</sup> Decree, May 14, 1905.<sup>1</sup>

<sup>3</sup> Vide *Ephem. Liturg.*, Dec., 1910, p. 735; Van der Stappen, tom. v. p. 366.



the rule. At all events the rule does not avail as against Nuns, for they by the new Code enjoy a right of precedence. It is stated in Canon 491, § 1: 'Religiosi præcedunt laicis'; and the term 'religiosi' is explained in the Canon immediately preceding as applying equally to men and women who have joined the religious life.

4. In replying to this query we think there are two decrees of the Congregation of Rites that must be taken into consideration. The first is in reply to the question: 'Quando debeat accendi Cereus paschalis, quibus diebus, quibus horis, num tantum Dominicis an etiam aliis diebus festis, et in missis et in Vesperis, an etiam in matutinis solemniter celebratis?' The reply, after specifying the days on which the Paschal candle may be lighted at Mass and Solemn Vespers, adds: 'et in aliis diebus et solemnitatibus etiam solemniter celebratis non accenditur, nisi adsit consuetudo, quod durante tempore Paschali accendatur, quæ servanda esset.'<sup>1</sup> Now the question arises: Assuming that Benediction is included among the 'solemnities' here referred to, and that the custom specified in the decree of lighting the candle during this solemnity prevails in a particular place, is there any reason why it should be discontinued? On the assumption we have made—and we think it justifiable—the decree supplies the answer to the question, viz., 'consuetudo . . . servanda esset.' But liturgical writers generally hold that Benediction is not among the solemnities at which the Paschal candle may be lighted, and they rely upon the explicit character of the following decree<sup>2</sup>: 'Num quoties detur Benedictio SS<sup>m</sup>i Sacramenti cum ostensorio, tempore paschali cereum paschalem toties accendere liceat?' The reply was, 'Negative.' It might be reasonably argued from the use of the terms 'toties' . . . 'quoties,' that the reply is not inconsistent with the exception we have made, but, apart from that exception, it is clear that the Paschal candle may *not* be lighted during Benediction. If, however, the Benediction follows immediately after Mass or Solemn Vespers for which the candle had been lighted in accordance with the rubrics, we do not think it need be extinguished until the entire function is over. Morally speaking, the two functions in the case unite to form one complete liturgical act.

#### THE CORRECT FORM OF ADMINISTERING THE 'VIATICUM' WHEN REPEATED IN THE SAME ILLNESS

REV. DEAR SIR,—Will you kindly answer the following query in your next issue of the I. E. RECORD. Which is the correct form of administering *Viaticum* when it is administered many times in accordance with Canon 864, § 3, of new Code? I am assuming, of course, that there is danger of death, and I also assume that the person has been anointed and has already received the *Viaticum* in the same illness.

FINIS.

If Communion is given '*per modum viatici*' the form prescribed

<sup>1</sup> Decree 235.

<sup>2</sup> Decree 3479.

by the Ritual is: '*Accipe frater (vel soror)*,' etc. Whether in the repetition of Communion during the same illness—'*perdurante mortis periculo*'—it should be administered '*per modum viatici*' or in the ordinary way, a difference of opinion<sup>1</sup> used to prevail amongst liturgical writers. The great weight of authority decidedly favoured the opinion that it should be administered '*per modum viatici*.' We think that the use of the word '*viaticum*' in Canon 864, § 3, confirms this view, and we hold, therefore, that the correct form in the case is: '*Accipe frater (vel soror)*.'

M. EATON.

<sup>1</sup> For a full discussion of the question see O'Kane, *Rubrics of the Ritual*, p. 369.



# DOCUMENTS

## APOSTOLIC LETTER TO HIS EMINENCE CARDINAL AMETTE, ARCHBISHOP OF PARIS

(October 7, 1919)

AD LEONEM ADOLFUM S. R. E. CARD. AMETTE, ARCHIEPISCOPUM PARISIENSEM,  
OB SOLEMNEM CONSECRATIONEM BASILICAE SS. CORDIS IESU AD MONTEM  
MARTYRUM.

Dilecte fili Noster, salutem et apostolicam benedictionem. Amor ille singularis quo Galliam Apostolica Sedes semper dilexit, efficit omnino, ut, cum Basilicae in Monte Martyrum conditae Sacratissimo Cordi Iesu appetat sollemnis consecratio, eam Nos solemnitatem tamquam domesticam putemus, velimusque istuc proprium Legatum mittere, qui Nostram ad ea sacra Personam gerat. Advenit igitur ad vos tali cum munere dilectus filius Noster Cardinalis Antonius Vico, et is quae sint in hac rei faustitate animi Nostri et sensa et vota significabit.

Equidem, uti, Apostolo docente, cognovimus Verbi Dei incarnationem tunc factam esse ubi venisset plenitudo temporis ad mundi salutem reparandam, ita persuasum hoc Nobis habemus suo quoque pleno tempore Sacratissimum Cor Iesu divinitus propositum esse mundo peculiari studio colendum, cum videlicet, refrigescens multorum caritas, nisi hoc divini amoris incendio, refoveri non posse videretur. Ita ostendit Dominus se, quod promiserat, usque ad consummationem saeculi nobiscum esse et fore, eadem semper caritate flagrantem, qua incensus, pro nobis homo factus et passus et mortuus est. Ad illud quoque divinae providentiae consilium licet agnoscere: nam, cum ista aedes ad Montem Martyrum, publico voto suscepto abhinc multis annis excitata; memorem gratiam Galliae erga Cor Iesu testaretur eius dedicatio in hoc tempus dilata est quo nationem vestram officium sanctissimum tenet grati animi in Deum illustri significatione declarandi quod e maximo post hominum memoriam bello superior discesserit.

Divinum igitur Cor in votivo hoc templo adorantes Ipsum veneramini bonorum omnium datorem qui cum universum hominum genus tantopere dilexerit ac diligat, tum gentum vestram singularibus beneficiis ornavit. Sed enim amor amore rependitur: nec quicquam aliud in novo Testamento et in veteri inculcatur vehementius ut quod est omnium locorum ac temporum praeceptum quo uno Lex omnis continetur. *Ait Iesus: diliges Dominum Deum tuum ex toto corde tuo, et in tota anima tua, et in tota mente tua. Hoc est maximum et primum mandatum. Secundum autem simile est huic: Diliges proximum tuum*

*sicut teipsum* (Matth., XXII, 37-39). Cor igitur sacratissimum cum immensam Iesu caritatem in filios, ah saepius immemores sensibili modo demonstret, simul nos admonet huius maximi officii quo Deum ante omnia et proximum sicuti nosmetipsos diligere debemus.

Iam vero proximorum caritas, eo impensior quo propinquiores attingit, ad universos homines, vel inimicos ipsos, extenditur, cum omnes fraterna inter nos necessitudine copulemur, utpote eiusdem Dei filii et eodem Iesu Christi sanguine redempti *Audistis, quia dictum est: 'Diliges proximum tuum, et odio habebis inimicum tuum.'* Ego autem dico vobis: *Diligite inimicos vestros, benefacite his, qui oderunt vos, et orate pro persequentibus, et calumniantibus vos, ut sitis filii Patris vestri qui in caelis est* (Matth., V, 43-45). Hoc Magister et Dominus Noster edixit, hoc Apostoli una voce, in primisque ille amoris praece Ioannes, tradiderunt, hoc ipsum constat vivendo exsecutos esse, quicumque ad Evangelii sapientiam mores suos exegerint.

Scimus equidem huiusmodi Christi Domini praeceptum mundo non placere, adeo ut, qui eius sanctitatem affirmant atque defendant, eorum consilia perverse interpretur, contumeliisque omnibus rependat. Ita cum Iesu Christo actum est, ita proxime cum Vicario Iesu Christi: nec aliud unquam fiet, si quis iniuriarum oblivionem atque amorem praedicet erga eos qui nobis malefecerint patriamque nostram oppugnaverint. At improborum offensio neminem retardare debet ab hoc tam gravi Evangelii praescripto servando atque inculcando, in quo convictus humani tranquillitas statusque civitatum maxime nititur.

Est igitur consequens ut, si divinum Cor Iesu gratissimo ei cultu prosequi volumus, utramque excitare in animis caritatem debeamus, erga Deum scilicet et erga homines, quamvis inimici sint aut hostes existerint. Meminerint enim omnes ea demum condicione oblatam nobis a Domino veniam peccatorum, si iis, qui in nos peccaverint, ignoscamus. Huic rei apud populum factis verbisque dare operam, munus praecipue est cleri; eo vel magis quod, nisi reconciliatis inter se et animis et populis, tantorum sanatio vulnerum, quae bellum attulit, atque ipsius pacis stabilitas sperari vix potest.

Adsit vobis, precamur, divinae misericordiae celebrantibus munera, Iesus Christus Dominus Noster: ac populari vestra, beata Margarita, cui divitias Cordis sui singulariter patefecit, deprecante, ex ista pernobili sede, quam vos in honorem amoris eius excitastis Galliam non modo, sed universum genus humanum amplectatur et foveat, ita ut quod in Versaliensi consilio nuper hominum prudentia inchoavit, id in Monte Martyrum divina caritas perpoliat atque perficiat.

Caelestium bonorum auspicem, quae dilectissimae nationi vestrae optamus uberrima, et paternae benevolentiae Nostrae testem, tibi, dilecte fili Noster, cunctaeque Galliae apostolicam benedictionem amantissime impertimus.

Datum Romae apud sanctum Petrum, die VII mensis octobris, in solemnitate Ss. Rosarii B.M.V., anno MCMXIX, Pontificatus Nostri sexto.



INDULT OF THE CONGREGATION OF RITES EMPOWERING  
ORDINARIES TO PERMIT THE CELEBRATION OF A REQUIEM  
MASS ON SUNDAY, NOVEMBER 2nd, AND ON ONE OF FIVE  
SPECIFIED SUNDAYS IN THE MONTHS OF OCTOBER AND  
NOVEMBER, 1919

(October 6, 1919)

[We regret that the decree arrived too late for publication in the October issue of the I. E. RECORD. As the privileges granted therein apply only to the months of October and November, 1919 (both of which shall have elapsed before the appearance of the present issue), we publish the decree without the synopsis and comment which its importance would otherwise have demanded.]

SACRA CONGREGATIO RITUUM

URBIS ET ORBIS

CIRCA MISSAM DE REQUIE

Quum dies secunda mensis novembris proxime adfuturi hoc anno in Dominicam incidat, et propterea Commemoratio Omnium Fidelium defunctorum iuxta liturgicas leges agenda sit insequenti die mensis tertia, Sanctissimus Dominus Noster Benedictus Papa XV, ut fidelium pietati omni aevo conspicuae erga animas in Purgatorio detentas satisfiat, maxime eorum, praesenti tempore, qui luctuosissimo bello desiderati sunt, pro Sua quoque caritate in ipsas animas, cunctis Ecclesiae Catholicae sacrorum Antistitibus et locorum Ordinariis facultatem inpertiri dignatus est permittendi *tantum hoc anno* unius Missae de Requie cum cantu vel lectae celebrationem die 2 novembris, Dominica XXI post Pentecosten.

I. In singulis igitur Cathedralibus, seu Conlegiatis, vel Parochialibus atque iis potissimum Ecclesiis, aut publicis Oratoriis, quae animabus Purgatorii igne cruciatis praecipue iuvandis habeantur erectae, vel ubi Sodalitates aut pia Uniones in eundem finem canonice sint congregatae, Rm̃i locorum Ordinarii praefata Dominica, die 2 novembris, Missam solemnem aut lectam de Requie celebrari permittant.

II. Praeterea Capitulis, Parochis et Rectoribus Ecclesiarum sive publici alicuius Oratorii, de quibus num. I, iidem Rm̃i Ordinarii Missae unius de Requie cantatae vel lectae celebrationem *semel* tantum permittant una ex Dominicis minoribus vertentis mensis octobris (scilicet diebus 12, 19, 26) aut insequentis novembris (nempe diebus 16 et 23), non impedita a festo ritus duplicis I vel II classis.

III. Demum enuntiata die secunda novembris vel una ex praefatis Dominicis minoribus, funus ubi placuerit agi permittant cum Missa cantata vel lecta de Requie; vitito tamen quolibet sermone aut funebri oratione in eiusmodi funere.

Serventur autem in omnibus Rubricae et cetera de more servanda.

Inusitatum hoc indultum Missarum de Requie in Dominicis praeter leges liturgicas, attentis lacrimabilibus belli conditionibus, ab Apostolica

Sede huc usque largitum, Sanctissimus Dominus Noster adveniente tempore sacri Adventus omnino desinendum iussit.

Ex audientia Sanctissimi Domini Nostri, die 6 octobris 1919.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius*.

L. ✠ S.

DECREE CONCERNING THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, PHILOMENA JOANNA GENOVESE, OF THE THIRD ORDER OF ST. FRANCIS

(July 23, 1919)

SACRA CONGREGATIO RITUUM

NUCERINA PAGANORUM SEU SALERNITANA

BEATIFICATIONIS ET CANONIZATIONIS SERVAE DEI PHILUMENAE IOANNAE GENOVESE E TERTIO ORDINE S. FRANCISCI

In civitate Nuceriae Paganorum ortum duxit, sancte vixit pieque obiit, die 12 decembris anno 1864, in aetate viginti et novem annorum, Philumena Ioanna Genovese, e Tertio Ordine Sancti Francisci, cuius corpus in ecclesia Conventus Ordinis Fratrum Minorum, Sanctae Mariae Angelorum dicata, nunc quiescit. Haec Virgo, mente et corpore candida, floruit sicut lilium, suae virtutis fragrantiam undequaque circumfundens, innocentia et poenitentia mirifice consociatis. E piis honestisque parentibus Paulo Genovese et Maria Petrorino in lucem edita, die 29 octobris anno 1835 sacramento baptismi subito regenerata est. Inde ab infantia futurae abstinentiae portendebat indicia et, a ludis puerilibus aliena, solitudinem quaerebat, ubi sola coram deo orationem Dominicam, salutationem angelicam aliasque preces libentissime ingeminabat. Septennis, irruente imbre per urbem, aquis fere obruta, Deo adiuvante, incolumis evasit. Ad primam Synaxim admissa, etiam ad virtutum incrementa stimulos sensit alacriores. Genitoribus et magistris obediens et subiecta, ita pia et modesta aestimabatur, ut ceteris puellis indigicaretur in exemplum. Rei familiari ac domesticis muniis etiam humilioribus, veluti ancilla, sedulo incumbibat. Sibi suaeque famulae quae, iussu matris, fluentes eius crines ornatus concinnabat, in memoriam revocare solebat Christum, cui crines passi et direpti erant. Simili cogitatione et sensu ducta, vultum et vestes etiam maculis deprimebat, ut, non mundo et hominibus, sed Deo et Domino nostro Iesu Christo unice placeret. Sanctorum vitas assidua lectione ac meditatione percurrens, maxime delectabatur in gestis sanctae Veronicae de Iulianis, sancti Iosephi a Cupertino et sanctae Rosae Limanae. Quadam die sagum induta, lumbos fune praecincta et Crucifixi simulacrum gestans, occurrit matri eique dicit se ad virtutem Rosae Limanae imitandam vehementer incitari atque in eius fidem et clientelam se conferre, ut tutum in periculis inveniret refugium. Patentibus hisce signis vitae exterioris facile excogitavit aliquam religiosam Familiam ingredi, probe sciens quod,



ad perfectionem adipiscendam, ingens in secessu subsidium positum est. Deus tamen aliter disposuit. Tunc, annuente genitrice, castitatis, paupertatis et obedientiae votis se Philumena obstrinxit atque in perpetuum se Deo devovit. Quae quidem vota privatim emissa, deinceps eius conscientiae moderator, Dominicus Ramaschiello, postea Episcopus S. Agatae Gothorum, publice ac rite suscepit in templo S. Matthaei Apostoli. Per fidelem votorum observantiam alacri cursu ad vitae perfectionem et caritatem in Deum intendebat pia Virgo quindecim annos tantum agens; sed illico, tumore ossi in sinistra eius gena suborto et crescente, ita tota ipsius facies intumuit, ut operationem chirurgicam subire debuerit quam, forti animo, absque ullo questu, sustinuit, in Christi simulacrum e cruce pendentis oculis defixis. De accepto sanationis beneficio memor et grata, statim ecclesiam adivit et preces coram SSmo Sacramento in gratiarum actione fundere festinavit. Eius virtus etiam resplenduit, labore assiduo et quotidiano, adsistens fratri suo sacerdoti aegrotanti Vincentio, donec hic, sacramentis Ecclesiae reffectus et sororis caritate recreatus, animam exhalavit. Mox ipsa Philumena, sonto morbo correpta, quum nec medici etiam peritissimi, nec remedia praescripta, nec balnea marina Neapoli sumpta, aliquem salutarem effectum obtinerent, inter vehementes cruciatus levamen et solatium caeleste experiebatur a frequenti sacra Convivii communione. Biennio post, quum diutinus et fastidicus morbus paulum remisisset, tum studio perfectionis, tum pietate, quam inde a teneris annis erga seraphicum Patrem Franciscum ferebatur, Dei Famula permota, Tertio Ordini franciscali nomen dedit, ut, ad humilem Christi eiusque servi fidelis Francisci sequelam, terrena despicere, caelestia acquirere et in amore et amplexu sanctae crucis, omnia, ad patriam peregrinanti adversa, superare contenderet. Seraphico ideo poenitentiae habitu induta, exempla sibi proposita usque ad mortem studuit referre et feliciter expressit per maiorem rerum fluxarum contemptum, animi corporisque candorem, vitam paenitentem et varia caritatis opera. Interim parenti, lenta paralyisi affecto et in lecto decumbenti, per triennium et ultra sine intermissione, veluti angelus, adstitit, atque infirma infirmorum et patiens patientem omnigenis modis usque ad ipsius obitum consolari satagit. Tandem Philumena, gravibus et Ipsa ac diuturnis laboribus et morbis fracta et vexata, dum fervido orandi studio atque effusione in Deum pietate, necnon peculiari in Deiparam Virginem aliosque sanctos Caelites devotionis affectu plena, afflictatae carni levamen afferebat et spiritualem quandam dulcedinem degustabat, in aetate adhuc florente, ob vehementiorem inveterati morbi vim ad extremum deducta, Nuceriae Paganorum, die 12 decembris anno 1864, obdormivit in Domino. Licet vita Servae Dei, in suo brevi cursu, tota fuerit abscondita cum Christo in Deo, eiusque virtutes in templo et inter domesticos parietes potissimum eluxerint, tum ex indole puellae, a mundo prorsus alienae, ne contaminaretur, tum ex gravibus et fere continuis infirmitatibus, quibus ipsa et Consanguinei sui afflictabantur, nihilominus ad externos et ad suos praecipue concives eius sanctitatis fama devenit. Post eius vero pretiosum obitum, per frequentiam fidelium ad sepulcrum, per vitae

narrationem et lectionem, per imaginum requisitionem et distributionem, accedentibus quoque signis et prodigiis, quae a Deo patrata ferebantur ob interventum eius servae fidelis, haec ipsa sanctitatis fama magis in dies clara et diffusa invaluit, et usque in praesens florida viget in civitate et dioecesibus Nucerina Paganorum, Salernitana, Neapolitana, aliisque locis. Eapropter Processu Ordinario Informativo super eadem fama constructo et ad Sacram Rituum Congregationem transmissio, quum, servato iuris ordine, et peracta revisione scriptorum, omnia in promptu essent, ut ad ulteriora procedi possit, instante admodum Rev. P. Francisco M. Paolini, Ordinis Fratrum Minorum et huius Causae Postulatore, attentisque litteris postulatoriis complurium Rmorum Archiepiscoporum et Episcoporum, necnon canonicorum, parochorum, religiosorum ac piarum Congregationum utriusque sexus, praesertim dioecesium Nuceriae Paganorum, Salernitanae et Neapolitanae, aliorumque virorum et mulierum illustrium, rogante etiam Rmo P. Seraphino Cimino, ministro generali Ordinis Fratrum Minorum, suo et totius Ordinis nomine, Ems et Rms Dñs Cardinalis Vincentius Vannutelli, Episcopus Ostiensis et Praenestinus, decanus sacri Collegii et eiusdem Causae Ponens seu Relator, in Ordinario sacrorum rituum Congregationis Coetu, subsignata die ad Vaticanas aedes coadunato, sequens dubium discutiendum proposuit: *An signanda sit Commissio Introductionis Causae in casu ad effectum de quo agitur?* Et Ems ac Rms Patres sacris tuendis ritibus praepositi, post relationem ipsius Ems Ponentis, audito, tum voce tum scripto, R. P. D. Angelo Mariani, Fidei promotore generali omnibus accurate perpensis, rescribendum censuerunt: *Signandam esse Commissionem Introductionis Causae, si Sanctissimo placuerit.* Die 22 iulii, anno 1919.

Facta postmodum de his Sanctissimo Domino nostro Benedicto Papae XV per infrascriptum Cardinalem sacrae Rituum Congregationi Praefectum relatione, Sanctitas Sua Rescriptum eiusdem Sacrae Congregationis ratum habens, propria manu signare dignata est Commissionem Introductionis Causae Beatificationis et Canonizationis Servae Dei Philumenae Ioannae Genovese, e Tertio Ordine S. Francisci, die 23, eisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,  
S. R. R. Praefectus.

ALEXANDER VERDE, Secretarius.

L. ✠ S.



# REVIEWS AND NOTES

**THE PRIEST OF TO-DAY: HIS IDEALS AND HIS DUTIES.** Third Edition revised and enlarged. By Rev. Thomas O'Donnell, C.M., President of All Hallows College, Dublin. Dublin: Browne and Nolan, Ltd.

THE first edition of *The Priest of To-Day* received a hearty welcome from the critics in the I. E. RECORD and other Catholic journals. The issue of a third edition proves that the public has endorsed the verdict of the critics. This renders any detailed review unnecessary. We would wish, however, to emphasize one point, that this book is no hurriedly written book, 'made to sell.' On the contrary, it bears all the marks of a work gradually shaped and developed by long years of careful enquiry and study. As a result, every chapter is full of solid and practical advice on some phase or duty of a secular priest's life. To quote at random, among the subjects treated of are the priest's personal sanctification, the prudence and zeal required in ministering to the people, Matrimony, Confession, visiting the sick, the establishment and working of Confraternities, the instruction and reception of converts, Church music, funeral discourses, refusal of Christian burial, mixing in politics, business and social relations, etc. In the present edition four new chapters are added, and two of these are sure to attract special attention, namely, chapter xviii. on church building, and chapter xx. on the much debated problem of educating children unto purity. The Appendix contains an admirable list of works on secular as well as religious topics. We may sum up our opinion of Father O'Donnell's book by saying that it is an epitome of all that is best in the books on the priesthood that preceded it, that it is a reflex of the experience of model priests at home and abroad, and that it is a treasure-house where one can find *nova et vetera* for the betterment of one's own soul, and for guidance in one's pastoral and public duties. Without hesitation we recommend the President of All Hallows' book to every priest and clerical student.

D.

**DIVINE CHARITY.** By the Rev. Patrick O'Neill, D.D., Professor of Theology, Maynooth College. Dublin: M. H. Gill & Son, Ltd.

TREATISES on the theological virtues, even from the hands of our most prominent theologians, form perhaps the least illuminating sections of our theology. Not that they lack thoroughness. The number of questions raised in them is well nigh inexhaustible; many of them indeed, one would think, derive their sole claim to discussion from the fact that they have found their place in similar compilations in the past. Each, however, is subjected to a painstaking analysis, and set before us couched in a wealth of scholastic terminology. Subtle distinctions are drawn, and justified by lengthy psychological explanations.

But explanation, by its very elaborateness, often defeats its own object. To the average reader many of these treatises seem to lack proportion. The human interest that these virtues should have for us is not aroused, these realities that mean so much to us are so overlaid with argument as to lose much of their significance and appeal. Hence it is with genuine pleasure that one turns to Dr. O'Neill's brief but scholarly treatment of Divine Charity in his thesis for his doctorate.

Dr. O'Neill has thought it necessary to apologise for his comparatively brief treatment of this great subject. 'Owing,' he says, 'to the abnormal conditions which prevail it must now appear in a much shorter form than had been originally intended.' He need not have done so. In taking up such a work a reader generally does not wish to learn the sum total of questions that have been or might possibly be raised, pertaining more or less remotely to the matter in hand, but he does search his mind to recall the difficulties the subject treated of has up to the present presented to him, and seeks in the pages for a solution. And in his perusal of Dr. O'Neill's work he will not be disappointed. While the practical aspect of Charity and the part it with its sister virtue Hope play in the daily lives of men are kept in the forefront, none of the root theoretical difficulties are omitted or evaded. On the contrary, they are raised with accuracy and precision, are treated with a breadth of view that comes of an easy command of the historical evidence and a keen appreciation of the psychological processes involved, and the lines along which a solution is to be sought are pointed out with characteristic directness.

It would be an injustice to this interesting book to attempt a summary of Dr. O'Neill's views and the evidence adduced in proof of them. There is scarcely a question discussed that is not of practical as well as theoretical interest. They are the never failing source of articles in our theological magazines, and those whose interest is already aroused in such subjects as 'contrition,' 'sin,' 'merit,' will look eagerly to this book for new light. And they will not look in vain.

It will suffice to call attention to a few points. The writer fittingly commences with the New Testament teaching on charity. Its sublimity is easily deduced and—what is more pertinent for Dr. O'Neill's purpose—its necessity. If charity is the first and great commandment of the law, surely it is something within the reach of all, even the most lowly, who live in the grace of Christ. Philosophers and theologians, therefore, may not develop a theory of charity that makes the object of St. Paul's eulogy attainable only by trained metaphysicians. Where faith is, charity must be not only possible but easily and, as it were, connaturally realized. God requires the love of all, of the humble as well as the learned—'the chapters which follow, it is hoped, will lead to a conclusion which may seem to be better suited to the limitations of man and more conformable to the supreme goodness of God.'

In a chapter on the 'nature of mortal sin' we are presented with the practically unanimous teaching of our theologians—but with a difference. While nearly all admit that the essence of mortal sin consists in aversion from God our last end, few go to the trouble of analysing



what this means, and fewer still attempt to draw the logical conclusions. In a singularly convincing chapter Dr. O'Neill has done both, and thrown thereby considerable light on the cognate question of hope. Does hope remain when grace is lost by mortal sin? If it does, in what sense is it to be understood? Is the 'trust' that can remain in the soul as long as faith does, the same thing as theological hope? These are some of the questions to which Dr. O'Neill addresses himself. In his handling of them he gives due attention to the historical side, and reveals an astonishing absence of unanimity among theologians, medieval and modern. Clearly the argument from tradition will not take us far. Nor is an appeal to Sacred Scripture final, inasmuch as some of the acts referred to therein, which are popularly called 'hope,' seem to pertain rather to an intellectual trust than to the love of concupiscence.

Dr. O'Neill devotes two interesting chapters to contrition and attrition. Here, too, the historical evidence is sufficient to give pause to many who dogmatise in accordance with the principles more commonly laid down in our manuals, or who too easily deduce a 'more common opinion' from isolated quotations as distinct from the trend of a writer's teaching, when taken as a whole. Perfect contrition, to use the commonly accepted terminology, was, of course, always considered necessary for the remission of grave sin outside the sacrament of Penance. Does a lesser degree of contrition, or what is called attrition, suffice with the sacrament? Up till the time of St. Thomas there seems little doubt that this question was answered in the negative. How far this teaching has been retracted since is by no means clear. Dr. O'Neill has put the case clearly before us, and where he has not brought conviction he has at least given serious food for thought.

In a final chapter we are given the writer's views on the nature of charity. They are naturally the logical conclusion of his findings in previous chapters and complete the artistic unity of an admirably constructed book.

In the case of a work containing so much debatable matter, one cannot expect to find one's self in agreement with it in its entirety. For instance, one would be inclined to doubt whether the view commonly accepted in our text-books places charity beyond the reach of the uneducated. God has given His grace to the humble; the light of faith is often shared by them in a greater degree than by the more learned. And just as their hearts may go out in love to the saint who passes their way, though he be remote from them, and no return of love or kindness be expected from him, so they may love God just because He is God, the God revealed to them in their strong faith, claiming and deserving of love even though He were not a rewarder. Again it might be argued that the more modern opinion, which makes attrition suffice for the remission of grave sin with the sacrament of Penance, is based on truer perception of the greatness of the gift of binding and loosing, which Christ left to His Church. That it will die hard there can be no doubt, not the least of the reasons being a growing tendency to minimise, as far as the law can possibly allow, the difficulties in the way of a fruitful reception of the sacrament of Penance.

Unanimity on such questions will scarcely ever be attained. Dr. O'Neill has given us an interesting and able work. His attractive presentation of a difficult subject, and the admirable manner in which the argument is developed, will be sure to arouse interest and provoke discussion. We wish the book every success.

A. QUINN.

RITUALE PARVUM. E. Rituali Romano Aliisque Fontibus Authenticis excerptum et ad usum cleri Hibernici accomodatum. Cura Rev.

J. B. O'Connell, B.A., B.D. Dublin: James Duffy & Co., Ltd.

A NEW edition of the Roman Ritual, adapted for the use of the Irish clergy, has been badly needed for several years, and we are glad that an attempt has at length been made to supply the want. So far back as 1900, at the Plenary Synod of Maynooth, the desire was expressed 'that a new edition of the Roman Ritual, containing all useful blessings, formulae and instructions,' should be drawn up for the use of the Irish clergy. The *Rituale Parvum* drawn up by Father O'Connell is in response to this desire of the Irish Bishops, and the Irish clergy have, we think, every reason to rejoice that the work of compiling it fell into such capable hands. In accuracy, completeness, up-to-dateness and all round workmanship, it is a credit to the compiler, and to the enterprising Irish firm responsible for its publication. It is in strict conformity with the new typical edition of the Roman Ritual (issued 1913), and with the subsequent decrees of the Congregation of Rites, and it embodies all the pertinent changes introduced by the new Code. Special concessions granted to Ireland by the Holy See are duly noted, and interesting footnotes are occasionally added, to elucidate the rubrics in particular circumstances. The directions given for the administration of the Sacraments are clear and accurate, and, what is an improvement even on the Roman Ritual, the *full* text is given for the different cases that may arise. The complete text of the form to be used in the baptism of several children and the detailed treatment of the procedure to be followed in the reconciliation of different classes of converts are distinct features which will make for convenience and enhance the value of the Ritual.

The number of Blessings given is far in excess of what we have been accustomed to in our little Irish Rituals, and a special section is added giving the forms of Blessings proper to the different religious Orders. In the selection and orderly arrangement of those Blessings, the compiler has displayed care and judgment, and we do not think he has omitted any which either the secular or regular clergy would wish to see inserted. Attached to the inside of the cover is a leaflet giving the short forms of Baptism, Absolution, Extreme Unction and Blessing *in articulo mortis*, which will be found useful and convenient in cases of urgent necessity.

A review of the contents of the Ritual would be incomplete without a reference to what we consider the special feature of the book, viz., the alternative of English or Irish forms in the administration of some of the Sacraments which admit the use of the vernacular. It is only in keeping



with the spirit of the time that the native language should receive recognition in an Irish Ritual, and we think it a pity that the compiler did not pursue his purpose to the end of giving it its due. The Irish of the formulae used in Baptism and Matrimony is appropriately given and reads well, but consistency—and we think propriety—would demand that it should also have been given in each instance where the Ritual itself allows the use of it. To priests in Irish-speaking districts the Irish text, for instance, of the beautiful prayers in 'The Recommendation of a departing soul' would be a decided help and convenience. In compiling a Ritual of this kind there are necessarily certain things the propriety of whose insertion or omission must be a matter of opinion—wherein the judgment of the individual is the deciding factor. In this book there are some Rites omitted—for example, the Rite of Exorcism—for whose insertion plausible reasons might be offered, but we have no doubt the compiler could show equally good reasons for their omission. Taken all in all, his Ritual—compiled, printed, bound and published in Ireland—is a worthy achievement, and one that we have no doubt will be gratefully appreciated by the Irish clergy. A suggestion to the publishers, if they should think well of it, would be to consider the advisability of bringing out a smaller pocket edition of the work for the use of the missionary priest. The present edition will admirably suit convents and churches, but it is too bulky—and perhaps a little too expensive—for popular use on the mission.

M. EATON.

HANDBOOK OF CANON LAW. By Very Rev. D. I. Lanslots, O.S.B.,  
 Prefect-Apostolic of Northern Transvaal. London: B. Herder,  
 68 Great Russell Street, W.C.

THIS little handbook is already very widely known, as is evident from the fact that the present is its eighth edition. It deals with the Canon Law governing lay Congregations, and it is to members of such Congregations that it mainly appeals. In the previous editions the author took the Decree *Conditae a Christo* and the *Normae* as the foundation of his work, and in this one he professes to have revised the whole in accordance with the dispositions of the new Code of Canon Law. He, however, makes a fundamental mistake in regard to the effect of the Code upon previous legislation. 'The new Codex,' he states in his preface, 'provides that in all cases, in which the former legislation is contrary to its Canons, it is abrogated; when it is not, the former legislation remains in force.' It is true, indeed, that particular laws, which are not in opposition to the Canons of the Code, still remain in force; but it is clear from Canon 6, 6° that general laws of this kind are abolished, unless in so far as they are embodied in the new discipline. The result of this mistake is that throughout his work we find the author referring to the *Conditae a Christo* and other decrees, just as if they still retained their binding force. The practical consequences, however, are not so disastrous as, at first sight, one would be inclined to expect: there are really not very many things in the decrees referred to which are not contained in the Code also. It is very irritating, however, to find statements

based upon the *Normae* or the decree *Conditae*, when the new Canons could just as easily be invoked.

Although the number of practical mistakes is not very great, still some mistakes were inevitable. We shall just draw attention to a few. In n. 69 it is stated that the Sovereign Pontiff alone has the right of suppressing a house belonging to a Congregation which he has approved. Canon 498, however, declares that a house of a non-exempt Congregation approved by the Holy See can be suppressed by the supreme Superior of the Institute with the consent of the Ordinary of the place. The author asserts in n. 111 that that there are no positive laws in regard to the duration of the novitiate in diocesan Congregations; and that, therefore, the Bishop, as first Superior, has supreme authority in this matter. The fact is that the legislation of the Code on the duration of the novitiate applies to Congregations with merely episcopal approval, just as much as to those that have obtained papal sanction. In n. 157 it is clearly implied that the decree of the Congregation of Religious, issued in 1912, regarding the profession *in articulo mortis* of novices who have not yet completed their novitiate, still remains in force. Now the Code has no provision of this kind; and, consequently, in accordance with Canon 6, 6°, it no longer forms part of the general law. Furthermore, the reason for it has ceased, as it is expressly provided in Canon 567 that novices who die during their novitiate have a right to the same suffrages as those prescribed for professed religious. Without going into details we may point out that nn. 95, 126, 179 and 200 also need some revision.

Notwithstanding the strictures which we have been compelled to make upon it, this work contains much that is interesting and practical, and for those who have already received some training in Canon Law it is certain to be useful. For the uninitiated, however, and it is for these that it is principally intended, we fear it will be misleading.

J. KINANE.

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# THE PIONEER IN SPAIN OF DEVOTION TO THE SACRED HEART

(FATHER BERNARD FRANCIS DE HOYOS)

By REV. GEORGE O'NEILL, S.J., M.A.

ON the 30th of May, 1919, the Feast of St. Ferdinand, Catholic Spain presented to the world a singular and edifying spectacle. A splendid monument to the Sacred Heart of the Redeemer—an obelisk of marble crowned by a colossal statue—was inaugurated on the central plain of the Peninsula, and in the solemn ceremonies representatives of every class of Spain's manhood and womanhood had their place. It was a gathering of some 14,000 people, and in their midst the leading parts were taken by the Episcopate, the Papal Nuncio and the King. After the celebration of Mass and the ceremonies of dedication, the great public function reached a climax in the recitation aloud by Alfonso XIII of an act whereby the whole country, himself at its head, consecrated itself to the Sacred Heart of Jesus.

It is not our purpose at present to dilate upon the significance and moral splendour of such an episode—so honourable to the land of St. Ferdinand, so unlike the public spectacles usually afforded us to-day by other countries. Rather do we desire to call attention to a personage connected with the national consecration and with its material memorial—a personage who has been brought into public notice for the first time by that memorial, but who has played an important, though veiled, part in the beginnings and growth of Spanish devotion to the Sacred Heart. This is Father Bernard Francis de Hoyos, priest of the province of Castile of the Society of Jesus, born in 1711 and taken from earth in 1735. He was the pioneer and chief apostle of the devotion to the Sacred Heart in Spain; and therefore does his likeness in marble occupy a place

at the foot of the national memorial, along with SS. John Evangelist, Augustine, Francis of Assisi, Francis of Sales, Teresa and Margaret Mary.

For a biography of Bernard Hoyos we possess sufficient materials. His own MS. remains (which must have been fairly abundant) have been lost to sight since the suppression of the Society of Jesus in Spain in 1765; but they had been fully utilized by a biographer, and this biographer had also been Father Bernard's master of novices and subsequently his director. Father de Loyola's *Life* has been carefully edited by a member of the same province (Father J. É. Uriarte, S.J.) within the present century.<sup>1</sup> Indeed, of the interior life of few saintly personages do we possess a fuller picture than that of the spiritual history of Bernard de Hoyos. He had what we might call a passion for self-manifestation, showing itself in long written accounts of the movements and experiences of his soul. We shall easily recognize in this propensity something specially disposed by the hand of Providence, when we come to recognize how extraordinary, and consequently how dangerous and doubtful, were the ways along which he was led; how rightly, therefore, he sought to steady and warrant his steps by the hand of prudent guidance.

About the genuineness of Bernard's spirit and the reality of his exalted sanctity there would seem to be no room for reasonable doubt.<sup>2</sup> What is fairly surprising is the practical unanimity of grave and experienced judges during Bernard's lifetime in judging favourably a career and experiences quite outside the common. It is true this wonder is somewhat lessened by a circumstance which, in its turn, is perhaps more wonderful still. This is that Bernard's career was on the surface a very ordinary one from its beginning to its close. As a novice and student his daily practice of virtue was, indeed, such as caused him to be compared to St. John Berchmans. Like that saint, again, he was diligent and successful at his books, and at all the other tasks imposed on him, literary, mental or external. But all the time a contemplative life of astonishing elevation and rare experiences, a life of

<sup>1</sup> A second edition, 'corrected and augmented,' appeared in 1913.

<sup>2</sup> Nevertheless, our evidence is only of a human kind, not that of the infallible judgment of the Church; and, therefore, we wish it to be understood that all statements or suggestions made in the following pages as to the sanctity or supernatural gifts of Father Hoyos are submitted unreservedly to the judgment of the Holy See.



tremendous demands upon the mere human nature, was hidden by Providence, with a completeness hardly to be paralleled from the lives of the saints, behind the exercises of a humdrum routine and the practice of virtues which are looked for, if not found, in every young religious.

Almost a victim, ere his birth, to the ignorance and incapacity of the physician who attended his mother, Bernard was an exceedingly feeble and puny infant; but his health seems gradually to have improved up to the close of his life. He was of extremely small and slight stature, which was at first put forward as a difficulty against his entrance into the noviceship. His delicate constitution did not prevent an early indulgence in severe penitential exercises; in his twelfth or thirteenth year these went to such lengths as the use of a discipline of wire bristling with points. Morbid or neurotic he never was. His character seems to have been vigorous and bright, combining in a marked degree ardour with firmness. He received a good Christian training, but some family troubles exercised his virtue both before and after his novitiate. His love of study and books was signalized on one occasion by his running away from home in order to go to school.

Long before the canonical age for admission he felt an ardent desire to enter the Jesuit novitiate. After one or two rejections he was received at Valladolid, by dispensation, when less than fifteen years old; took vows of devotion the following year and (again by dispensation) the regular vows in 1713. He then immediately entered upon his philosophical course, then upon his theological; was ordained priest (by dispensation) in his twenty-third year; then went on to his third year of probation, and, having had experience of work in the pulpit and in the confessional, died at the age of twenty-five. Such a career may seem extraordinary enough to many of our generation. But in the old Spanish provinces of the Society such rapid advancement to priestly status and work seems to have been not uncommon.

The singular favours wherewith it pleased God to mark out this elect soul began about the fourth month of his novitiate. It was on the Feast of St. Francis Xavier—one of his special patrons—that he was given a delightful vision of the Infant Jesus, who appeared to him as a fisher for souls in the sea of the world. During the following

Christmas time the vision was renewed in varying forms. Other kindred favours followed and raised the soul of the novice to intense raptures. But with the oncoming of the Lenten season there began a complete and trying change. Severe pains and trials followed upon unearthly delights. The dark night of the soul poured in, and, until Easter dawned, this mere boy of fifteen was strong enough to make his way on and upward through that formidable stage of the higher spiritual life, through its terrifying glooms and storms and evil hauntings. 'I endured,' wrote Bernard, 'violent temptations to anger, fury, despair; against faith, against holy images, to blasphemy, and one against purity, which afflicted me most of all.' At Easter-time all these clouds rolled away; he was again in the sunshine of heaven; and the state of consolation and spiritual vigour which followed made it very necessary for wise direction to confine the acts and resolutions of the ardent neophyte within the bounds of discretion.

We cannot here follow up even the more marked stages in the soul's career thus begun. Suffice it is to say that Bernard ascended and left on record all the degrees of the spiritual life as trodden by the greatest contemplatives. More than this, he knew one after another of the most signal and ineffable marks of divine love bestowed on those chosen spirits. Our Lord, His Blessed Mother and various saints and angels held frequent discourse with him. Like SS. Anthony, Cajetan and Stanislaus, he received in his arms the Divine Infant. He was given a vision of eternal torments which, as he has left it recorded, is one of the most vivid and appalling that have ever been put into words. Holy Communion constantly brought him an inundation of joys such as it seemed impossible naturally to experience and to live. The privilege of hearing angelic music, sometimes granted to St. Ignatius during his celebration of Mass, was frequently enjoyed by Bernard; so, too, that of the almost continual presence in visible form of his guardian angel. Like St. Thomas Aquinas, he was girded by angelic hands with a white girdle significant of chastity; this emblem (he was told) did not signify entire exemption from imaginations excited by the demons, but would guarantee him from all sinful consent.

Passing over many incidental favours of which the happy recipient himself says: 'To some these delicacies and refinements may seem suspicious, as if unworthy of



the imagination of God ; but this is because they have not tasted how sweet the Lord is, nor known by experience how great is His delight in being with the children of men ' ; passing over also certain revelations and trials of his, interesting because of their connexion with troubles through which the Society of Jesus was then passing, we must notice one of the earliest intimations he received of the special work and privilege for which his Master destined him. At the time of the first renewal of his vows (1729), feeling, while he pronounced the sacred engagements, his soul full of an extraordinary sweetness and a longing for closer divine union, he saw, by an intellectual vision, Christ within his soul, in great glory, and within the Saviour's breast the Divine Heart—an object indescribably bright and beautiful. From it issued three slender cords as of the finest gold, which after a short distance met and blended into one cord. This then opened once more into three, and the three cords attached themselves firmly to the heart of Bernard himself ; and thus remained bound together (as he himself, duly appreciating this delicate symbolism, wrote), ' the two hearts, the divine and the earthly, the holy and the sinful, the pure and the defiled, that of Christ and that of so unworthy a creature.' Our Lord then said to him, ' Bernard, this sacrifice [namely, the fervent pronouncing of his vows] makes me more desirous of making thy soul my spouse. But know that before this is accomplished thou shalt have severe conflict to endure ; enjoy then this hour, that thou mayest the better endure afterwards.'

Terrible, indeed, beyond any previous trials, was the interior storm which followed upon this and other forewarnings. All light seemed to disappear, all joy in well-doing and in prayer, all hope, all faith. The demons were allowed to haunt and harass the sufferer in hideous sensible forms. They claimed him as their own by mortal sin, and showed him the abyss of hell open at his feet to receive him. When he appealed to his God mocking voices cried to him : ' Where is your God ? Where are the delights He used to give you ? ' In the absence of all sensible grace they were able to stir up in his imagination and senses horrible temptations to blasphemy and other sins ; they provoked him to inflict violence on himself, to tear his flesh with his teeth, to fling himself out of windows ; they were allowed to make his Masses and Communions a torment,

hissing into his ear : ' Judas communicated and now he is with us,' or even the inspired words of St. Paul concerning unworthy communicants. And these painful trials lasted for months. They may seem to the sceptically-minded to belong to the phenomena of hysteria or mania. But one singular fact seems at once to place them in a different category. Nothing of them was perceived by those whose company and occupations the sufferer shared every day. His external demeanour remained tranquil, his performance of duties faultless.

How great was the heroism with which he passed through the furious and prolonged assault, helped by wise counsel and his own exact obedience, was made evident by the signal consolations, caresses and honours which the Divine Leader, watchfully guardant throughout, lavished at length upon His faithful soldier. It was, once more, on an Easter Sunday that the trial, which had begun in the preceding November, passed suddenly away ; he had so foretold to his director at Christmas. Scarcely had calm replaced storm when his new-found happiness culminated in the mystic ceremony of the divine espousals. On this event, however, we will not linger, as it was but the prelude and anticipation of that still higher rite which the authorities on mystical theology name ' the mystic marriage,' and which they regard as the sign and seal of the highest degree of union with God into which the soul can enter while still in the earthly tabernacle. The divine condescension, eager to bring home to human dullness the reality, intensity, and efficacy of divine love, has inspired the writers of Scripture, the teachers of the Church and the saints to use the language of earthly and carnal love for a world of action and passion wholly and sublimely spiritual. Such divine condescensions, like the Incarnation itself, tempt the unspiritual to blaspheme or cavil, while they move enlightened souls to the profoundest humility and most ardent gratitude. Let us, in that wise spirit, so far as we may, speak and read of the unearthly favours granted to Bernard Hoyos.

It was on the Feast of Our Lady's Assumption, so notable for Bernard's young precursors, Stanislaus and John Berchmans, that the crowning privilege fell to the lot of their faithful imitator.

I heard the voices of angels singing : ' Behold, the Spouse cometh ; go forth to meet Him.' My soul was intensely recollected, and saw what



follows by an imaginary vision.<sup>1</sup> I saw that I was clothed (without seeing by whom) with a white garment, adorned richly with precious stones—this was a symbol of purity and the accompanying virtues which form the nuptial robe. Forthwith appeared on one side St. Michael, St. Teresa, our Father St. Ignatius, and St. Francis of Sales, and on the other my guardian angel, St. Mary Magdalen de Pazzi, the venerable Father Emmanuel Padial,<sup>2</sup> and St. Francis Xavier. At the end of the two files of saints were seen three beautiful thrones : one smaller than the others and unoccupied, another occupied by our Blessed Mother Mary, and the centre one, all of gold and approached by three steps, occupied by Christ. At the same time, by an intellectual vision, I beheld the Blessed Trinity, and its mystery was given me to understand more clearly than on the preceding occasions. . . . Clad in the robe aforesaid, I advanced to the steps of the centre throne, where Mary presented me to her Son. Kneeling I kissed with rapture the sacred wounds in His feet ; and then He asked me if I desired to be united to Him as He desired to be united to me. Feeling lost in my nothingness and His love, I replied I know not what, but I think its sense was : ‘Behold the servant of the Lord ; be it done unto me according to Thy word.’ Then, raising me from my knees up to the highest step, and taking my right hand with His, He said to me : ‘I, in the name of my divinity and humanity, as high priest, in my divine nature and my human, espouse thee, beloved soul. Sit now upon the throne of my spouses, and taste of what thou art to enjoy eternally.’ I took my place upon the vacant throne, while my Lord still held my right hand. Then he placed on it a ring of gold with a stone of brilliant colour but of kind unknown to me, and said : ‘Let this ring be a pledge of reciprocal love ; thou shalt be mine and I shall be thine ; thou shalt be Bernard of Jesus and I shall be Jesus of Bernard ; look upon my glory as that of thy spouse, for I shall look upon thy glory as that of my spouse. All mine is thine, and all thine mine : what I am by nature do thou share by grace : thou and I are one.’ These and other most loving words the Divine Jesus said to my soul. I gave the ring which I bore upon my middle finger to the Blessed Mother as to the depository of the gift. Then I asked the saints present to give thanks on my behalf for so great a favour, and to obtain for me grace to correspond with it. As if in confirmation of the rite, the Blessed Trinity gave a blessing, each of the Divine Persons speaking words of ineffable love.

I felt that in my soul was effected all that these visible ceremonies signified. On putting on the nuptial robe I felt as if the old man were annihilated within me ; at the moment when the Saviour took my hand, my soul received such increase of grace that He seemed to change me into the new man ; when I seated myself on the throne it was as if I were entering into glory, for only the Beatific Vision was wanting ; when the Lord spoke those words, ‘Jesus of Bernard,’ it seemed as if the close union I experienced did make in a certain manner one of us both.

No wonder if after such experiences as these the happy

<sup>1</sup> Bernard early began a careful study of works on ascetical and mystical theology, his favourite author being, it would seem, Father Michael Godinez (Wadding). The highest kind of vision for a soul *in via* is, he tells us, the intellectual, next comes the imaginary, lowest is the sensible.

<sup>2</sup> Then recently deceased in the odour of sanctity.

soul felt during the whole octave of Mary's festival as if it breathed rather in heaven than on earth; no wonder if its humility, gratitude and love were intensified to a degree of inexpressible fervour.

Of Bernard's personal spiritual privileges after this supreme one it is clear that, though there may be more, there cannot be anything higher, to relate. We have, however, to say something of his special mission with regard to the Heart of Christ and how he discharged it. In approaching the revelations made to him on this subject it is well to say that we shall meet here nothing that is objectively new. We shall add little, if anything, to the knowledge of the devotion to the Sacred Heart which we may have acquired from the Blessed Margaret Mary and the various writers who since her time have commented on her revelations. The most strikingly new utterance to be found in Bernard's notes concerns the part to be taken by Spain in honouring the Sacred Heart; but here, unfortunately, a doubtful reading comes in to dim our understanding.<sup>1</sup>

Yet, if the supernatural communications of Bernard have a general likeness to those of the Blessed Margaret Mary, his narratives are not without characteristic touches and an atmosphere of their own. Here is one description which may stand for many:—

I saw the Divine Heart [writes Bernard] sending forth flames of love, so that it seemed a burning furnace. I offered up to my Lord everything, even to the last drop of my blood, for the glory of His Heart; and that I might understand how pleasing to Him was this offering, and my simple desire that its honour might be spread all over the world, He took and enclosed my miserable heart within His own, wherein, by an intellectual vision, I saw deposited as if in a sanctuary the treasures and riches of the Father; I saw the desires and longings of His Heart to manifest itself to men, and its good pleasure in those who value it as the great fount and channel of the waters of life. Amid the sweetness, joy and delight which flooded my poor soul, plunged in that fiery ocean of love, and which Jesus alone understands, I seemed to have entered into a bath or crucible, wherein were consumed all the dross and filth that had covered it. Since then I remain as it were lost and absorbed in that Divine Heart. In eating, sleeping, speaking, studying, everywhere my soul appears to touch, to feel, nothing else but the heart of its Spouse; in the presence of the Blessed Sacrament the streams of its delight flow

<sup>1</sup> Did Our Lord say to Bernard: 'My Heart shall reign and be more honoured in Spain than in other countries'; or only: 'My Heart shall reign and be more honoured in Spain than in *many* other countries'? Father Loyola's MS. gives the latter version; the printed editions published under his supervision give the former.



more strongly than elsewhere upon me; and as this devotion especially regards the Heart of Jesus in the Blessed Sacrament, there especially are the ardent desires of that Heart fulfilled.

He was told by his Lord and by his various patron saints, familiar to him in his visions, especially St. Michael, St. John Evangelist and St. Francis de Sales, that the devotion would triumph, but not without encountering many difficulties and obstacles; that the favours and lights granted to him were not for his own benefit only; that he was to labour to extend their influence as widely as possible.

Upon the work thus indicated to him Bernard entered without delay. Having consecrated himself to the Sacred Heart by the formula which had been used by Father Claude de la Colombière, he began by evangelizing his own brethren of the province of Castile. Aided by two or three men older and more responsible than himself, he succeeded with a success which to his biographer seemed marvellous. No doubt the Castilian Jesuits were not invited to learn or practice anything wholly new; many of them would already have made acquaintance with the treatise on devotion to the Sacred Heart by Father Joseph Gallifet, and would have heard the remarkable story of the cessation of the plague at Marseilles in 1725—how its ravages stopped as soon as the devoted Bishop, Mgr. de Belzunce, had consecrated the city and diocese to the Sacred Heart. Still, the swift acceptance of Bernard's mission was remarkable; and it is not surprising if, stimulated by this domestic progress, Bernard and his friends next turned their eyes towards the Holy See. Their desire was to obtain permission for a special feast of the Sacred Heart on the Friday after the octave of Corpus Christi, with special Office and Mass. But Rome still held back from this concession; many petitions like theirs had been and were to be rejected during that half century. On the other hand, the apostles were consoled by winning to their side practically all the Bishops of Spain, and with immediate practical effects. Sodalties were founded, novenas celebrated, indulgences granted, booklets published. The King, Philip V, and the devout personages of the Court were gained to the practice of the new devotion; some zealous missionaries spread it among the people. It was a joint application, backed by a theological exposition, sent in by the Bishops of Poland,

which in 1765 finally won at Rome the grant of the special feast and office of the Sacred Heart; it may seem surprising that the petitions of the learned Episcopate of Spain, even though not sent in conjointly, should have missed their effect. But they came thirty-three years earlier; and in these slow, gradually-developing movements the Providence which guides the Church has its own designs, not always quite hidden, to work out. Surprised should we rather be at the progress made and results achieved by an obscure Jesuit scholastic only in his twenty-fourth year. It is almost a repetition of the miraculous mission and fruitful apostolate of the Blessed Margaret Mary.

Thus already, to spiritual eyes, 'crowned with glory and honour,' the young life was now to reach what would seem in human sight an untimely end. 'Being made perfect in a short time,' the spouse and apostle of the Sacred Heart was carried off rather suddenly in the midst of his spiritual labours—carried off by an epidemic which seems to have closely resembled our recent influenza plague. But the task he had dropped on earth was taken up by kindred hands. No hopeful work did it seem. Long was the dawn of a bright success obscured by the darkest clouds. From 1765 till 1814 the Society of Jesus was suppressed in the Spanish dominions; from 1773 till 1814 its very existence seemed to have wholly ceased; anti-religious forces rose up in unprecedented fury in Spain and nearly every European country. In spite of noble defenders the adherents of the devotion to the Sacred Heart, ridiculed as *Alacoquistes* and *cordicoles* by the Church's enemies, found themselves treated with coldness or contempt by many within her fold. What hope could there seem to be for the triumph of devotion to the Sacred Heart, for the ideas of Margaret Mary and Bernard Hoyos, while Voltaire was supreme in France, Joseph II in Austria, Pombal in Portugal, and their imitators, philosophers or despots, dominated Spain, Italy and Germany? Yet, the undying soul of the Church lived on, flamed out anew and prevailed, and well was fulfilled the assurance given to those humble apostles that the Sacred Heart would triumph in spite of all its enemies. To-day the cities of Voltaire and of Joseph II have each raised a magnificent votive temple to the Sacred Heart. Madrid, whence the religious brethren of Bernard de Hoyos were driven forth in nakedness and ignominy, has set up his statue in marble



at the foot of her memorial to the one object of his love. The whole Catholic world is preparing to celebrate the canonization of the humble nun of Paray-le-Monial. It is an appropriate moment for us to make some acquaintance with an apostle and apostolate like to those of Paray, but still more hidden ; with the young Spanish Jesuit whose sanctity and spiritual privileges have been for two centuries so little heard of, but have now been acclaimed by a nation, and may, as we earnestly hope, be one day ratified, like hers, by the oracle of his Master's representative on earth.

G. O'NEILL, S.J.

## OUR DEBT TO CHRIST <sup>1</sup>

BY PROFESSOR ALFRED O'RAHILLY, M.A.

THOUGH we speak and hear much about the Christian Message, it is to be feared that we often fail to apprehend its central tenet. We fail to grasp the fundamental fact of *our need* of Christ; and because we lack this consciousness of need, we fail to appreciate the place of religion in our lives. Our need of a thing is the measure of its value; how differently a loaf of bread or a glass of water is estimated in satiety and in hunger or thirst. So also far different will be our attitude to Christianity, according as we regard it as superfluous or as essential. It is on this point that we must clearly make up our minds. Is Christianity a beautiful luxury, something added to our lives from the outside, a surface ornament which leaves our deeper selves untouched and our normal activities undirected? Or is it to colour our whole lives and to influence our inmost thoughts, a message to our intellect and a help to our will in every detail of existence?

How most of us answer this in practice is only too evident. When it is question of Christ we begin all at once to make excuse. One of those invited to the Great Supper pleaded he had bought a field, another said he had purchased five pairs of bullocks, another had just got married; they all just happened to be preoccupied with something else. Time for everything—for studies, for business, for pleasure, for hobbies; but no time for Christ. Look, for instance, at this institution of which you and I are members. Here we come to learn culture and to acquire knowledge. Where is Christ? Disqualified by Act of Parliament, excluded from the University. There is no room here for the message of Jesus Christ—not in literature, not in history, not in science, not in medicine. With all these our religion is supposed to have no concern,

<sup>1</sup> A Lecture delivered to Catholic university students.



You can go to the library and read Homer, Plato, Cicero; you can study moderns like Spencer, Darwin, Huxley, Frazer's *Golden Bough* or James's *Varieties of Religious Experience*. But you may not study Christ or Christianity. You learn anthropology and biology; and while doing so, you carefully tuck away, or perhaps smile away, your faith. In studying medicine you inevitably come up against difficult philosophical theories of life and soul, and delicate ethical problems concerning physiological functions and foetal life. And from all this the Christian message is carefully and legally excluded.

It is not our fault, you will say. Perhaps not. But we acquiesce very quietly in it. It has a far-reaching influence on our lives, which we make little or no effort to counteract. The clear tendency of this secularist procedure is to relegate faith to a special department of our lives, to oust it from our intellectual activities. We grow accustomed to abstracting and prescinding from it in our ordinary thinking and acting. Perhaps we almost go so far as to regard faith as a second emotion reserved for use in church. Whatever be true of us, Catholic university men and women, the world around us certainly looks upon Christianity as having little or nothing to do with actual everyday life. Faith is regarded as a kind of excrescence on life, something superadded exteriorly and remaining organically distinct. And the loss of faith is envisaged merely as the extinction or belief, say, in the Trinity, the atonement, hell and a few such like distant mysteries. When this supernumerary belief disappears, everything else is supposed to go on just as before.

Now this, I hold, is a radical misconception of the place of Christianity in human history and life. The Christian revelation is not a collection of convictions arithmetically added to life and subtractible again without in the least affecting our outlook on things. Christianity is inextricably intertwined with all that is best and noble in life, organically connected with our culture, our philosophy, our civilization. From us individually, or from humanity as a whole, belief in Christ could not be uprooted without irremediable intellectual and moral disaster. Of course I am not dealing with any special or exceptional cases. It is quite possible, for example, that a man may reject Christianity and remain a convinced theist, but it is curiously difficult to find many such instances. In the world, as we know it, such a

position is one of unstable equilibrium. Again, it is even less difficult for a man to lose faith in Christ and to retain high ethical ideals and practice. But, in all such cases we must remember that the after-Christian, the man who nowadays rejects Christ, is living in a world of Christian tradition, and often continues to cling to Christian ideals without being aware of his indebtedness to Christ.

It is possible to minimize this indebtedness unduly, just as it is possible (but less likely) to exaggerate it. The truth lies between the extremes of rationalism and traditionalism. Here is the teaching of the Vatican Council:—

Holy Mother Church holds and teaches that God, the beginning and end of all things, can be certainly known from created things by the natural light of human reason . . . ; but that it pleased His wisdom and goodness, by another, and that a supernatural way, to reveal Himself and the eternal decrees of His will to mankind. . . . It is to this divine revelation that we must attribute the fact that such divine truths as are not in themselves inaccessible to human reason, even in the present state of mankind can be known by all with facility and firm certainty and without admixture of error.<sup>1</sup>

Thus the Christian revelation is morally but not absolutely necessary. Men *can* attain to natural truths of theology and ethics by the help of natural reason. But, as a matter of historical fact, have they done so? That is a question undecided by the Vatican Council.<sup>2</sup> The Fathers of the Council formulated an important note to this effect: 'When we say that man, through the principles of reason, can arrive at the knowledge of natural truths concerning God and divine things, we say nothing of course concerning the way in which man arrives at the exercise of reason.'<sup>3</sup>

That is a very important distinction which we must carefully bear in mind. It is just because it forgets it that rationalism is so thin, so unreal, so ineffective. Rationalism assumes that the potentialities of human reason become automatically actualized in living men and women; it forgets that men are animal as well as rational. Human reason is doubtless able to reach truths of natural theology and ethics. But how is this ability to be exercised

<sup>1</sup> *Collectio Lacensis*, vii. 250 f; Denzinger, 1785 f.

<sup>2</sup> There may even be natural truths unattainable by human reason. Cf. *Coll. Lac.* vii. 239 (*Relatio de emendationibus*): 'Hypothesis illa utrum sint quaedam veritates naturales quae homini per se perviae non sint, . . . per doctrinam nostram non tangitur.'

<sup>3</sup> *Coll. Lac.* vii. 238.



in the concrete, in this and that individual? That is a question which no logical analysis or general theorizing can answer. Reason as such is an abstraction; the rationality of actual men and women is strictly limited and conditioned. Every act or habit of human reason is dependent on extrinsic factors. Every rational proof must be *seen* in order to come within the province of human reason; and this faculty of sight resides unequally in individual men.

It is a fact of history, an extraordinary fact which we are apt to overlook, that it is only by means of the Christian revelation that men have succeeded in attaining truth and virtue, which, theoretically and in the abstract, they might have reached by themselves. The very completeness of the result tends to blind us as to the process. It is to Christianity that we, Europeans, owe our belief in God, in immortality, in human personality, our ethical and cultural ideals. Where men of great intellect, where leaders of thought and examples of pre-eminent virtue failed, Christ and His handful of fishermen succeeded. They succeeded so wonderfully that we almost fail to perceive the greatness of their achievement. We have so thoroughly appropriated the treasures of Christianity that we have come to think that they are our own. We read about the Homeric gods, Plato's *Phaedo*, with the sadness of its poignant yearning, the Sixth Book of Virgil's *Aeneid*, Cicero's discussions 'On the Nature of the Gods,' his essays on 'Friendship and Old Age.' They are unreal to us, we hardly appreciate their meaning and earnestness, so much of Christianity do we carry. Whether we know it or not, we are all Christophoroi, Christ-bearers. It is not that we are more rational than Plato or Cicero; the difference is that they lived B.C. and we are living A.D. These great men of old reasoned wisely, but unconvincingly. 'Though those who professed to philosophize about truth,' says Origen,<sup>1</sup> 'brought forward a great apparatus of seeming rational proof, not one of them has succeeded in impressing what he deemed the truth upon other nations or indeed upon considerable numbers of one nation.' Elsewhere he urges against Celsus<sup>2</sup> :—

Our Jesus, who is reproached with having been born in a village (and not in Greece or any well-known country), who is despised as the

<sup>1</sup> *De principiis*, iv. 1, 1.

<sup>2</sup> *Contra Celsum*, i. 29–30.

son of a poor labouring woman, . . . has yet been able to stir up the whole inhabited world, surpassing the influence of Themistocles of Athens, Pythagoras, Plato, or any philosopher, ruler or leader in any part of the world. Would not anyone who carefully examined these facts be struck with amazement at this man's victory?

Other Fathers bear equally emphatic testimony to the influence of Christ. Thus St. Athanasius says:—

As to Gentile wisdom and the sounding pretensions of the philosophers, I think none can need our argument, since the wonder is before the eyes of all—that while the wise among the Greeks had written so much, and were unable to persuade even a few from their own neighbourhood concerning immortality and a virtuous life, Christ alone, by ordinary language and by men not clever with the tongue, has throughout all the world persuaded whole churches full of men to despise death and to mind the things of immortality, to overlook what is temporal and to turn their eyes to what is eternal, to think nothing of earthly glory and to strive only for the heavenly.<sup>1</sup>

St. John Chrysostom's testimony to the failure of philosophy and the success of the Cross is also worth quoting:—

What great labours did Plato and his followers, too, undergo, discoursing to us about the line, the angle, the point, numbers even and odd, equal and unequal, and such like spider-webs—for indeed these webs are not more useless to human life than were these subjects—without doing any good, great or small, by their means to anyone; and thus he ended his life. How strenuously did he labour in trying to show that the soul is immortal. And even as he came so he went away, without stating anything with certainty or persuading anyone who heard him. But the Cross wrought persuasion through unlearned men; yea, it persuaded even the whole world; and not about common things, but concerning God and true godliness and the gospel way of life and the future judgment. It turned all men, even the very rustics and the utterly unlearned, into philosophers. . . . For the noble ideals which tax-collectors and fishermen were able by God's grace to carry into effect, could not even be grasped by philosophers, rhetoricians, rulers, not even by the whole world, with its myriad efforts. What then did the Cross introduce? It taught the immortality of the soul, the resurrection of the body, the contempt of things present, the desire for things future. It made men angels; and thus all men everywhere are philosophers and exhibit every virtue.<sup>2</sup>

Such was the language of the Fathers. They did not view Christianity as simply a system of incomprehensible dogmas and mysteries which left life pagan at the core. For them Christianity lit up every nook and cranny of human life, it purified our reason and ennobled our will. Nothing was left untouched and untransformed. 'Hence,

<sup>1</sup> *De Incarnatione Verbi*, 47, 5.

<sup>2</sup> *In 1 Cor. hom. iv. 3* (Migne, *P.G.*, 61, 34).



if anyone is in Christ,' says St. Paul, 'he is a new being. The old things have passed away—they have become new.' Truths already proved, no doubt, by many a subtle mind, became real and living; and under the influence of this perception and appreciation new arguments were developed and old objections began to vanish. It would be quite possible to trace on paper the evolution of the idea of God or of the soul or of human brotherhood; but it would be merely a paper record as unlike the reality as the trace of a seismograph is unlike an earthquake. The real driving force was Christianity.

But now comes the obvious objection: 'All that is true. Christ was a marvellous genius, and to Him the world owes most of its great truths of religion and morality. Historically it was Christianity which first introduced these notions of God's fatherhood, providence, free will and the highest conceptions of goodness and virtue. But that is history. We can now arrive at these ideas for ourselves. What was original in the Gospel message is now the world's commonplace; just as pioneers, like Euclid or Newton or Darwin, first, by sheer force of genius and intuition, brought to earth new truths which everyone can now prove and investigate for himself.'

Now, as a plain matter of fact, that is how men do mostly look at Christianity. They regard Christ in the religious sphere as they regard Euclid in geometry—a great figure, but of purely historical interest, whose results must now be reached by human reasoning, whose conclusions each man must grasp and prove for himself. We read in the Gospel such pronouncements as these: 'Without Me ye can do nothing.' 'No man cometh to the Father except through Me.' 'Unless you be born anew, you cannot see God's kingdom.' And we think they are quite applicable to the Palestine of two thousand years ago. Christ opened their eyes, but *we* can open our own. What they accepted on His authority we nowadays examine on its intrinsic merits. God, immortality, etc., we investigate with our modern scholarship and our critical philosophy.

Let us see if we are right. Of course we must commit no treason against man's reason. The existence of God, for instance, and the immortality of the human soul, can be proved by natural arguments. The early Christian apologists unanimously admitted this; indeed they were

the first to clarify and develop the proofs of such truths. And yet they claimed that it was Christ who convinced them. There is, as I already pointed out, a vast difference between logical provability and real conviction, between the abstract possibility of proof and the actual intuition of such proof, between the potentiality of reason and its exercise. All the geometrical theorems of Euclid were equally amenable to reason before he ever existed, and yet, until he proved them, no one saw them. And even at the present day no one could without a preliminary training understand, for instance, Newton's *Principia*. The actualization of rational achievement is dependent on contingent facts of education, character, etc. What is thus true of sciences like geometry and mechanics is, of course, still truer of ethics and religion. In these the exercise of our mental faculties is strictly conditioned. To take an extreme instance, a man who leads a loose life cannot appreciate the beauty of virtue, the man who is sunk in material pursuits feels no yearning after God and fails to realize His existence. And just as in the case of physical sight, there are innumerable gradations between perfect vision and total blindness, so, too, that soul-sight, called intellect and reason, varies from individual to individual. If we may continue the metaphor, as bodily sight is often improved by surgical operation, improved health, or optical appliances, so we may say that one of the functions of faith is to clarify the vision of the soul. Faith is no more an enemy of reason than spectacles are of sight.

The question, then, is this: Are we nowadays so sharp-sighted that we no longer need the help of faith? Or is it true that only through faith in Christ and with the help of His abiding presence does humanity cling to belief in God and immortality? That is, Is Christian faith morally necessary as a pre-requisite condition of intuitive and ratiocinative approach to ethical and religious truth, just as a preliminary training is for the understanding of modern science? That the answer to this question is Yes, may be best shown by seeing in a few concrete and well-known instances how difficult it is, outside Christianity, to retain belief in God and in human immortality. Ernest Renan left the Church because he 'discovered in some German writers the true kind of Christianity which is adapted



to us.'<sup>1</sup> He ended not only by pandering to what Matthew Arnold called the cult of lubricity, but by treating God Himself with cynical persiflage. Here is a page which needs no comment<sup>2</sup> :—

The word God being in possession of the respect of humanity, this word having for itself a long prescription and having been employed in all beautiful poetry, it would be to overturn all the habits of language to abandon it. Tell the simple to live according to their aspirations for the truth, beauty and good morality ; these words would not have any sense for them. Tell them to love God, not to offend God, and they will understand you thoroughly. God, providence, immortality, so many good old words, a little dull perhaps, but philosophy will interpret them in a sense more and more refined, although she will never replace them with advantage.

How true is the remark of the late Professor H. Sidgwick, himself a wistful unbeliever :—

If theism is to be maintained—and I am inclined to predict, the needs of the human heart will maintain it—it must be for Europeans by virtue of the support it still obtains from the traditional belief in historical Christianity.<sup>3</sup>

We find John Addington Symonds writing in a similar strain<sup>4</sup> :—

I would give a great deal to regain the Christian point of view, or rather, since all modern people are ethically Christian—the personal, creative conscious Deity. But I nowhere find Him. I see that this age has no definition of Him.

The account of Symonds's death in Rome is a curious commentary on the perennial clinging of mankind to religion and immortality. 'He asked,' says his daughter,<sup>5</sup> 'for the small book of prayers, which he always had kept near him since he was a child, and which had belonged to his mother. This he had with him till he died.'

Proofs of immortality have been given ever since the days

<sup>1</sup> *Recollections of My Youth*, p. 281.

<sup>2</sup> *Studies of Religious History* (1893), p. 293.

<sup>3</sup> H. Sidgwick, *A Memoir*, p. 508. He goes on to say : 'There seem to me to be only two alternatives : either my own reason or some external authority. And if the latter, . . . I should not hesitate to choose the Roman Church on broad historic grounds.' The antithesis is false, for Sidgwick's individual reason—which, by the way, leads him to deny all proofs of God's existence and of the immortality of the soul—is not Reason ; and just because it is not, it needs what he calls Authority.

<sup>4</sup> H. Brown, *J. A. Symonds*, 1903, p. 319.

<sup>5</sup> *Ibid.* p. 477. Similarly G. J. Holyoake, in his *Sixty Years of an Agitator's Life*, tells us that he buried his son 'like a little Peruvian,' putting the child's toys into the coffin.

of Plato and Plotinus; and men, dissatisfied, have been seeking fresh proofs, witness F. W. H. Myers and Sir Oliver Lodge. 'I don't know how,' said Cicero,<sup>1</sup> speaking of the *Phaedo*, 'but I agree while I am reading; and yet when I lay the book down and begin to think by myself of the immortality of souls, this agreement entirely slips away.' A criticism which has often been re-echoed by puzzled students of philosophy. This is how Sidgwick put the case to himself when he was nearly fifty and a distinguished Cambridge professor<sup>2</sup>:—

Some fifteen years ago, when I was writing my book on Ethics, I was inclined to hold with Kant that we must *postulate* the continued existence of the soul, in order to effect that harmony of Duty with Happiness which seemed to me indispensable to rational moral life. At any rate I thought I might *provisionally* postulate it while setting out on the serious search for empirical evidence. If I decide that this search is a failure, shall I finally and decisively make this postulate? Can I consistently with my whole view of truth and the method of its attainment? And if I answer 'no' to each of these questions, have I any ethical system at all? And if not, can I continue to be professor and absorb myself in the mere erudition of the subject—write 'studies' of moralists from Socrates to Bentham? . . . I am nearly forty-nine, and I do not find a taste for the old clothes of opinions growing on me.

What a pathetic confession of the failure of modern philosophy! Has it any ethical system at all? And because they have none, its professors absorb themselves in the mere erudition of the subject or seek to eke out reason by séances. The impotence of secular philosophy when confronted with death is itself a striking testimony to the Christian faith. The *post mortem* consolations and condolences of the great exponents of reason form a sad and instructive anthology, uniformly cheerless and lugubrious through the centuries. There is extant a second-century papyrus, a simple human document, identical with thousands of such messages sent before and since<sup>3</sup>:—

Irene to Taonnophris and Philo, good cheer! I was as much grieved and wept as much over Eumoiros as I did for Didymas; and I did everything that was fitting. . . . But truly there is nothing one can do in the face of such things. Do you therefore comfort yourselves. Good-bye.

<sup>1</sup> *Tusc.* i. 11.

<sup>2</sup> *H. Sidgwick, A Memoir*, p. 467.

<sup>3</sup> *P. Oxy.* 115.



We could almost fancy that we were reading John Stuart Mill<sup>1</sup> :—

I know too well that there is no consolation for a calamity like yours. But nothing can deprive you of what comfort there is in a knowledge of the deep respect which was felt for your husband. . . .

Or Bismarck<sup>2</sup> :—

My dear sir, I have heard with sincere regret of the heavy loss which you have suffered; and although I have no consolation to offer in such circumstances, I cannot refrain from expressing to you my heartfelt sympathy.

Or Herbert Spencer, writing to Darwin's son<sup>3</sup> :—

If anything could serve as adequate consolation to Mrs. Darwin and yourself, it would be the immense manifestation of sympathy—a manifestation which I should think has never been paralleled in the case of any man of science.

Spencer's view of immortality is best gathered by the oration of a disciple (Lord Courtney) made over the ashes of the cremated philosopher<sup>4</sup> :—

The brain so tull and so powerful has ceased to exist. There is no longer any manifestation of consciousness. Can consciousness survive after the organ on which it depended has ceased to be? Is the personality that dwelt in this poor frame to be admitted as in itself indestructible? Or must we acquiesce in its re-absorption in the infinite, the ever-abiding, the ineffable energy, of which it was a passing spark? . . . Our master knew not. He could not tell. The last enigma defies our question.

*Our master knew not; he could not tell.* There, in a sentence, is the verdict of rationalism. And what says *our* Master? 'I am the resurrection and the life. He that believeth in Me, although he be dead, shall live. And everyone that liveth and believeth in Me shall not die for ever' (St. John xi. 25). 'Brethren,' says St. Paul, 'we will not have you ignorant concerning them that are asleep, so that you may not grieve like the rest that have no hope' (1 Thess. iv. 13). It is just as true to-day that 'the rest' (οἱ λοιποὶ), i.e., non-Christians, have no hope of immortality. However we explain it, the fact is undeniable. Proofs have been lying, and even accumulating in men's minds, for over two thousand years, unable to grip and convince them.

Now from this there emerges a very important practical

<sup>1</sup> *Letters of J. S. Mill*, ii. 247.

<sup>2</sup> M. Busch, *Bismarck*, iii. 48.

<sup>3</sup> Duncan, *Life of H. Spencer*, p. 223.

<sup>4</sup> *Ibid.* p. 481.

conclusion. If philosophy or science, apart from grace and revelation, cannot in the mass of mankind substantiate belief in immortality and in the validity of ethical concepts, then the continuance of the higher elements of civilization is absolutely dependent on Christianity. For no one conversant with human realities will deny that the general loss of such a belief would mean an enormous strengthening of what is material and brutal at the expense of all the finer and spiritual factors in life. This was candidly admitted by Henry Sidgwick when he wrote in 1881<sup>1</sup>:—

The reason why I keep strict silence now for many years with regard to theology is that while I cannot myself discover adequate rational basis for the Christian hope of happy immortality, it seems to me that the general loss of such a hope, from the minds of average human beings as now constituted, would be an evil of which I cannot pretend to measure the extent.

Some rationalists have sought to elude the cogency of such a confession; they have boldly asserted that men's ethical principles and conduct would be quite unaffected by the extinction of Christianity. Thus John Stuart Mill declares<sup>2</sup>:—

Belief in the supernatural, great as are the services which it rendered in the early stages of human development, cannot be considered to be any longer required, either for enabling us to know what is right and wrong in social morality, or for supplying us with motives to do right and to abstain from wrong.

Mill's own elucubrations in philosophy, which he propagated with a consciousness of dogmatic finality, are a curious commentary on this pronouncement. Thus Mill's view of marriage—apparently exemplified in his relations with Mrs. Taylor—was that there ought to be 'entire freedom on both sides to dissolve this, like any other partnership.'<sup>3</sup> He never paused to consider the general social effects of such a doctrine; we are now beginning to witness it. Though he consistently pointed out how much 'virtues are needed to enable a democracy, and above all any approach to socialism, to work in any satisfactory manner,'<sup>4</sup> he continued to talk as if a humanly good life were as easy to the struggling proletariat as it was to him, a cultured thinker with a big pension, a

<sup>1</sup> *H. Sidgwick, A Memoir*, p. 357.

<sup>2</sup> *Three Essays on Religion*, p. 100.

<sup>3</sup> *Letters*, i. 187.

<sup>4</sup> *Ibid.* ii. 329.



leisurely life, and a country house at Avignon. It is an easy task for comfortable middle-class experts like Mill, Darwin, or Huxley, to mine away the faith of millions; we have subsequently found that it is not so easy to replace it. Towards the end of their lives Spencer and Mill began to realize, like Sidgwick, that rationalism is impotent to construct an alternative to Christianity:—

So conspicuous are the proofs [wrote Spencer<sup>1</sup> at the age of seventy-three], that among unallied races in different parts of the globe progress in civilization has gone along with development of a religious system . . . that there seems no escape from the inference that the maintenance of social subordination has prepotently required the aid of some such agency.

And Mill, in a posthumous essay, which shocked rationalists like Bain, declared that:—

The indulgence of hope with regard to the government of the universe and the destiny of man after death—while we recognize as a clear truth that we have no ground for more than hope—is legitimate and philosophically defensible. The beneficial effect of such a hope is far from trifling.<sup>2</sup>

Mill went even further, and in some of the last pages which he wrote he spoke of Christ in language savouring more of new-found faith than of the dreary rationalist dogmatism of his earlier years:—

Whatever else may be taken away from us by rational criticism [he wrote], Christ is still left—a unique figure, not more unlike all his precursors than all his followers. . . . Religion cannot be said to have made a bad choice in pitching on this man as the ideal representative and guide of humanity. Nor even now would it be easy even for an unbeliever to find a better translation of the rule of virtue, from the abstract into the concrete, than to endeavour so to live that Christ would approve our life.<sup>3</sup>

This very phrase, 'translation of virtue from the abstract into the concrete,' confesses the social inadequacy of natural reason and the world's debt to Christ. It is

<sup>1</sup> *Autobiography*, ii. 467.

<sup>2</sup> *Three Essays on Religion*, p. 249.

<sup>3</sup> *Ibid.* p. 255. Mill's craving for religion was partly satisfied by his illogical but pathetic cult of his deceased wife. 'I endeavour to make the best of what life I have left,' he wrote in his *Autobiography* (pop. ed., p. 138), 'and to work on for her purposes with such diminished strength as can be derived from thoughts of her and communion with her memory.' 'Her memory,' he continues (p. 144), 'is to me a religion, and her approbation the standard by which, summing up as it does all worthiness, I endeavour to regulate my life.' What a testimony to the hollowness of rationalism is Mill's attempt to take refuge therefrom in the companionship, not of Christ, but of his dead wife!

not merely that natural reason is largely analytic and individual, and is unable to cope adequately with social ideals, though this is true. It is more important to realize that, especially at the present stage of man's personal self-consciousness and individual development, the only social ideal which will *work*, which will be concretely effective, is the Christian ideal. Where else shall we secure a principle capable of conferring on life a value commensurate with its suffering? How, except in Christianity, can we reconcile society and the individual? Where else is there any sure grasp of social ethics? Family life, the rights of the unborn, the claims of the weakly, the regeneration of the sinner—their only champion is Christ. Abstract theism and abstract ethics may work very well on paper, but they are powerless to cope with the prejudices and passions of flesh and blood. We shall never have a social millennium, a perfect Utopia, wherein individual claims are accurately adjusted. There is no mechanism whereby sin and suffering can be eliminated. Whatever social and economic transformations are to be introduced, we shall still need high motives, self-sacrifice, good will. How are we to generate this spiritual power? How is the coming democracy to create a clean heart and a right spirit in men and women? Not by laws or leagues, not by resolutions or constitutions, but by Christ.

ALFRED O'RAHILLY.



# PREACH THE GOSPEL

BY REV. MATTHEW KEATING, M.SS.

## I

MONDAY, February 11, 1918, was an epoch-making day in the history of the Catholic pulpit. On that day our Holy Father, Benedict XV, delivered a most important allocution to the Lenten preachers of the Eternal City. He reminded them of his letter on preaching, addressed a few months previously to the sacred orators of the Universal Church, and expressed the hope that they would show that they understood and appreciated better than others the importance of the instructions of their common Father.

The excellence of the ministry entrusted to sacred orators follows from its being a continuation of the work of Jesus Christ; since He told His Apostles, and in their person, all His future ministers, 'As the Father hath sent Me, I also send you' (John xx. 21). Christ's mission was to bear testimony to the truth, 'For this I was born and for this came I into the world: that I should give testimony to the truth' (John xviii. 37). Accordingly, the mission of the ministers of Christ is to give testimony to the truth, to preach the Gospel, which is the word of God. As the word of God is perfect, the good preacher is he only who announces in a suitable manner, the *Gospel*, the *whole* Gospel, and *nothing* but the Gospel. Since the Gospel contains both dogma and moral, the preacher must explain to the faithful what they must believe, and what they must do to save their souls. According to Benedict XV, sacred orators of recent years, while generally observing the obligation of preaching the *whole* Gospel, have frequently ignored the obligation of confining themselves to the Gospel, and consequently have neglected a most important duty. For the sacred orator should confine himself absolutely to the Gospel, and preach nothing else. An ambassador who lays before the court he is sent to what is not contained in his sovereign's mandate, forfeits belief

in every part of it; as no one can determine when his words are his own, or when they are the words of his sovereign. But preachers are ambassadors of God sent to the Christian people, and therefore should deliver only the word of God. Should they do otherwise, they deserve to be disowned by their Sovereign.

No one can measure the extent of the harm done by preachers who add their own word to God's word. They tempt even those who are slowly and painfully advancing on the strait way of salvation, viz., the way of penance and mortification, to abandon this difficult way, and choose one wider, easier and more inviting than that pointed out by the faithful observer of this rigid precept, 'preach the Gospel'—but a way which does not lead to the goal, a way which ends in a precipice, and is truly disastrous. The official guide who directs a traveller to take such a road cannot be condemned too severely.

The Pope has insisted, again and again, on the characteristic of the good preacher, viz., the preaching of the *Gospel*, the *whole* Gospel, and *nothing* but the Gospel. The more fully the preacher attains the end or object of preaching, the better he is. Now, the object of preaching is to continue the work of the Redemption of Christ, so beautifully expressed by the prophet: 'That sin may have an end, and everlasting justice may be brought' (Daniel ix. 24). Hence, the test of the preacher is the moral state of his people.

The Gospel not only gives all Christ did to complete the work of Redemption, but also all He laid down for His ministers to do, to secure for the faithful the fullest participation of the fruits of the Redemption. The preacher who does not preach the whole Gospel teaches (at least implicitly) that a part of it can be dispensed with, that a part of what Christ taught to be indispensable in order to put an end to sin and bring everlasting justice is not at all indispensable. In like manner, he who does not confine himself to the Gospel, teaches (at least implicitly) the insufficiency of the Gospel—teaches that what Christ taught to be sufficient, in order to apply the fruits of His Redemption to the souls of men, is not at all sufficient.

The *whole* Gospel, and *nothing* but the Gospel, the preacher must preach. To preach the whole Gospel he must expound to the faithful the dogmas which flood the soul with delight, as well as those which pierce it with



salutary fear. He must teach them to admire the mercy of God, but he must also prudently steady them with the remembrance of God's justice. He does not merit to be called a good preacher, who, in order to flatter his hearers, does not show sin in its true aspects, or omits to announce (when in duty bound) the malice and the temporal and eternal punishments of sin. Such a preacher does not announce the whole Gospel, but shows he has forgotten the command of Christ, binding him to teach the observance of all His precepts—'teaching them to observe all things whatsoever I have commanded you' (Matt. xxviii. 20)—no motive of praiseworthy prudence could suggest or justify such an omission. On the other hand, in the exposition of Catholic truth, falsehood should never be introduced. However, the omission of a part of the truth may be tolerated when there is no obligation to speak of it in defence of the faith, and such an omission is even necessary, when, in place of a good result, a bad one would be produced, e.g., the exasperation of minds badly disposed towards the Church.

## II

From the dawn of Christianity, the ministry of the Word and the ministry of the breaking of the Bread have gone hand in hand. As Pius X aimed at the bringing back of the faithful to the practice of the early Christians, viz., the practice of daily Communion, so Benedict XV aims at the bringing back of preachers to the practice of the preachers of the early Church, viz., the preaching of the *Gospel*, the *whole* Gospel, and *nothing* but the Gospel. There is nothing new or novel in his idea of preaching: it is the idea of the ancient Fathers, and of the Apostles themselves. Let St. Paul speak for all his fellow-Apostles, 'Now we have received not the spirit of this world, but the spirit that is of God; that we may know the things that are given us from God, which things also we speak, not in the learned words of human wisdom, but in doctrine of the spirit, comparing spiritual things with spiritual' (1 Cor. ii. 12, 13). St. Paul preached the Gospel, the things given us from God, revealed truths, not in words taught by orators, philosophers or scientists; but comparing spiritual things with spiritual, taught revealed truths from Scriptures and other Spiritual sources, and did not base them on historical, scientific, philosophical, rhetorical, or

earthly reasons, ideas or speeches. 'For as words of human wisdom carry with them the wisdom and the spirit of the speaker, so do the words of the Holy Spirit bring into the soul the wisdom of God, and of His Spirit speaking by the Apostles.'<sup>1</sup>

The Fathers, ever mindful of the teaching and example of the Apostles, continued in their spirit the mission they received from them. The preacher should do likewise and never forget that he is the ambassador of Christ. 'For Christ therefore we are ambassadors, God as it were exhorting by us' (2 Cor. v. 20). According to St. John Chrysostom, St. Paul here says: 'The Father sent the Son to beseech, and to be His ambassador unto mankind, when then He was slain and gone, we succeeded to the embassy; and, in His stead and the Father's, we beseech you.' St. Paul, therefore, counted himself an ambassador of Christ, one who had succeeded to His functions, consequently he ever kept urging his cause, like an ambassador on his mission.

The priest, being an ambassador, should never add to or take from the message entrusted to him. 'For a messenger's business is this, to convey from one to another what is told him. For which cause also the priest is called a messenger, because he speaks not his own words, but those of Him Who sent him.'<sup>2</sup> This same author in his commentary on 1 Corinthians says:—

They who from the beginning sowed the word, were unprofessional and unlearned, and spake nothing of themselves; but what things they received from God, these they distributed to the world; and we ourselves, at this time, introduce no inventions of our own, but the things from them, we have received, we speak unto all.

St. Augustine also dwells on the obligation of the preacher to confine himself to the Gospel:—

Ye are indeed of one family. We of the same family are dispensers, it is true, but we all belong to one Lord, nor what I give, do I give of mine own; but of His from Whom I also receive. For, if I should give of mine own, I shall live a lie. When he speaketh a lie, he speaketh of his own.<sup>3</sup>

The Fathers sought their thoughts, motives, reasons,

<sup>1</sup> Cor. A Lap. in 1 Cor.

<sup>2</sup> St. John Chrysostom in Com. on Epistle to the Romans.

<sup>3</sup> Homilies on New Testament.



and arguments in the writings of the inspired authors. As Oecumenius tells us:—

If we are asked whether Christ rose on the third day we bring forth testimony and proofs from Jonas. If we are asked whether the Lord was born of a virgin, we compare His Mother in her virginity to Anna and Elizabeth in their sterility, and thence prove it.

These quotations suffice to prove that Benedict XV, in exhorting preachers to confine themselves to the Gospel, is walking in the footprints of the Fathers of the Church. We have seen that the Fathers preached *nothing* but the Gospel; now let us see if they preached the *whole* Gospel. Did they preach the dogmas which inspire with delight as well as those which strike with fear? Did they dwell on God's mercy as well as on His justice? Did they fear to offend their hearers by expounding the malice and punishment of sin?

The circumstances of the times in which most of the Fathers lived obliged them to lay special stress on the rewards of a virtuous life in order to induce their people to bear patiently the trials, persecutions and privations they were daily exposed to. Hence, they often repeated the words of St. Paul: 'I reckon that the sufferings of this time are not worthy to be compared with the glory to come which shall be revealed in us' (Rom. viii. 18). But recognizing that many would be more effectively moved to embrace a virtuous life by fear than by love, they did not neglect the fear-inspiring truths. They imitated St. Paul who, after encouraging by the gentler things, turns his discourse to the more fearful, and thus draws them on both sides. 'In general most men are not drawn so much by the promise of what is good as by the fear of what is painful.'<sup>1</sup>

In their homilies the Fathers were most practical, and hence did not dwell much on the malice of sin in itself, but proved its malice from its effects. For man, though living in the midst of sin, cannot understand its malice. He is like one lost in a dense forest, unable to form any idea of its extent or bearings. On the other hand, in many paragraphs scattered through their homilies they deal with the effects of sin. For the sake of brevity I will not give their words, but will mention some of the effects they treat of. Let us take St. John Chrysostom and

<sup>1</sup> St. John Chrysostom, Com. on Epistle to the Romans.

St. Augustine together. They tell us that sin is the only real evil, that it blinds the understanding, is self-destructive, the source of corruption of body and soul, a festering sore, dishonour, makes cowards, makes slaves, strikes dumb, etc.

Nor were the Fathers satisfied with describing the effects of sin in general. As circumstances demanded they attacked individual sins. Once they saw that God's glory and the salvation of souls called for strong words no human consideration could keep them silent. For example, St. Augustine forbade the celebration of the feast called *Lætitia* on account of abuses connected with it, some became violent, and declared they would never submit to the prohibition. According to the secret designs of Providence the day's Gospel contained the words: 'Give not that which is holy to dogs, neither cast ye your pearls before swine' (Matt. viii. 6). In a letter to Alypius, the Saint says: 'I discoursed, therefore, concerning dogs and swine in such a way as to compel those who clamour with obstinate barking against the divine precepts, and who are given up to the abominations of carnal pleasures, to blush for shame.'

St. John Chrysostom also denounced the sins of impurity in strong terms. In his Commentary on the Epistle to the Romans he says:—

Nothing can be more worthless than a man who has pandered himself. For not the soul only, but the body also of one who hath been so treated, is disgraced, and deserves to be driven out everywhere. How many hells shall be enough for such? But if thou scoffest at hearing of hell and art unbelieving, remember that fire of Sodom. For we have seen, surely we have seen, even in this present life, a semblance of hell. For since many would utterly disbelieve the things to come after the Resurrection, hearing now of an eternal fire, God brings them to a right mind by things present, such then is the burning of Sodom, and that conflagration; and they know it well that have been at the place, and have seen with their eyes that scourge divinely sent, and the effect of the lightnings from above. Consider how great is that sin to have forced hell to appear even before its time.

In the first paragraph of the same homily he asks us to admire the manner in which St. Paul deals with the vice of impurity:—

How, having fallen on two opposite matters, he accomplishes them both with all exactness. For he wished both to speak chastely and to sting the hearer. Now, both these things were not in his power to do, but one hindered the other. For if you speak chastely, you shall not



be able to bear hard upon the hearer. But if you are minded to touch him to the quick, you are forced to lay the naked facts before him in plain terms. But his discreet and holy soul was able to do both with exactness, and by naming nature, has at once given additional force to his accusation, and also used this as a sort of veil, to keep the chasteness of his description.

Hence the preacher's duty, as handed down from the Apostles and Fathers of the Church, is to preach the Gospel. This same duty is inculcated by Benedict XV in his recent letter on preaching. Therefore, no motive of praiseworthy prudence can prevent the preacher discharging this duty so clearly and authoritatively defined. Often he will be severely criticized, misinterpreted and misrepresented by those whose vices he condemns; but he must be prepared to face all this, otherwise he has been chosen in vain.

For it is no evil report that ye should fear, but lest ye should prove partners in dissimulation. For then ye will lose your savour, and be trodden on by men; but if ye continue sharply to brace them up, and then are evil spoken of, rejoice: for this is the very use of salt, to sting the corrupt and make them smart, and so their censure follows, of course, in no way harming you, but rather justifying your firmness. But if through fear of it, you give up the earnestness that becomes you, ye will have to suffer much more grievously, being both evil spoken of and despised by all. For this is the meaning of 'trodden on by men.'<sup>1</sup>

### III

From these quotations it is clear that Benedict XV in insisting on the preaching of the *Gospel*, the *whole* Gospel and *nothing* but the Gospel, insists on the return of preachers to the practice of the preachers of the early Church. Fidelity to the embassy received from Christ, obedience to the wishes of the Pope, and zeal for the spiritual welfare of their hearers oblige priests to recognize and discharge this duty to the best of their ability. Ignorance of the Gospel is the source of all sins and vices. As corrupt human nature remains unchanged, the following words of St. John Chrysostom are as true to-day as they were fifteen and a half centuries ago:—

Our countless evils have arisen from ignorance of the Scriptures; from this it is that the plague of heresies has broken out so rife; from this that there are negligent lives; from this labours without advantage.

<sup>1</sup> St. John Chrysostom, *Com. on the Gospel of St. Matthew*.

For as men deprived of this daylight would not walk aright, so they that look not to the gleaming of the Holy Scriptures, must be frequently and constantly sinning, in that they are walking in the worst of darkness.

The Gospel is the only remedy for the moral evils of the present day. 'Holy Scripture,' says St. Basil, 'is the universal depository of medicine for the cure of souls. From it every one may select the remedy which is salutary and appropriate for his own disease.' Now, the pulpit is the great means of bringing the Gospel into healing-touch with the immortal souls of men. This presupposes knowledge, but not more than is within the reach of all divinely called to the priesthood. 'The divine word is, if I may say so, a river which is both shallow and deep: in which a lamb may wade and an elephant may swim' (St. Gregory). All that preachers require is the good will to prepare themselves by prayer, meditation, and serious study of the Gospel. The constant study of the Gospel will make them good theologians, as it treats of the whole subject-matter of Catholic theology. Hence, St. Jerome defines the Gospel: 'A breviary and compendium of all Theology.' St. Hilary in his commentary on St. Matthew goes so far as to say: 'It is an undoubted truth that the constant reading of Scripture gives to the ministers of Christ the true knowledge of doctrine.' Hence, too, St. Dominic, the Founder of the Friars Preachers, considers the Holy Scriptures so essential, that he does not hesitate to declare that 'without Holy Scripture a preacher cannot exist.' Rightly, therefore, does St. Gregory in his commentary on Job observe: 'It is necessary that he who prepares himself for the words of true preaching should derive his sources from the sacred pages, that whatsoever he speaks he should recall to the foundation of divine authority, and make firm the edifice of his discourse upon that.' Every sermon should not only be founded on the Gospel, but as Father Bonardi says, 'it should also be an echo, a paraphrase of the Gospel.' A desire to be interesting and original might tempt some to stray from the Gospel, and treat the subject in a way better calculated to cater for the curiosity, rather than the spiritual needs of their hearers. Others, of an apparently practical turn of mind, want something more practical than the Gospel, something more practical than the means left us by Christ Himself. This is a disastrous mistake. For as St. Ambrose



says : 'The Gospel not only teaches the faith, it is the school of morals, the mirror of conversation.' With this St. Bernard is in full agreement : 'The Gospel is the mirror of truth : it flatters no one : it misleads no one : in it everyone will find himself just what he is, so that he need not fear when there is no fear, nor yet rejoice when he hath done evil.'

In the Gospel we see not only the reflection of the life we should live, but we see also the reflection of the individual actions which combine to produce that life. Of this Father Benedetti gives us a beautiful illustration. He relates a very instructive conversation between a young curate and an old parish priest with forty years' experience of the sacred ministry. I will merely give the substance of their conversation. 'You asked me,' said the old priest, 'to recommend you a good spiritual book. There are many, but there is one worth all the others put together, because it contains them all, if they be written as they ought. That book is the Gospel of Jesus Christ.' Seeing the young priest was surprised, he continued : 'What is most natural and true surprises you. The Gospel is the best spiritual book. For every other spiritual book is either a compendium or development of the Gospel, and the book which is not either begets a false devotion or a cold piety which neither touches the heart nor moves the affections.' 'That is all very true,' the young man replied, 'but where in the Gospel can I find the ordinary pious practices, for example, the preparation for confession and Communion.' Whereupon the old man opened the New Testament, and asked him to read the Gospel appointed for the third Sunday after the Epiphany, which describes the twofold miracle of Christ : the cure of the leper and the cure of the servant of the Centurion.

When he had finished reading, the old priest exclaimed : 'What a practical preparation for confession the cure of the leper suggests. There we have marked for us every step the sinner must take to make a good confession. Remember, in the leper, nearly all the Fathers saw the sinful soul. As the leper's body was a mass of raw ulcers, his limbs paralysed and all intercourse with the chosen people forbidden him, so mortal sin robs the soul of all her beauty, of acquired merits, of sanctifying grace, of her eternal inheritance, of the special protection of the angels and saints, of everything which constitutes her the friend, the

heir and child of God, and brands her with a loathsome stain which can be washed out only by the Precious Blood of Jesus Christ. So that, in the state of mortal sin, the soul is isolated, lifeless and incapable of meriting. Yet she can be cured, if she imitate the leper.

‘The first thing the leper did was to recognize his miserable state. He examined himself : the sinner, too must examine himself and acknowledge his spiritual misery. As soon as the leper realized his misery a desire to be healed sprang up. He had heard of Jesus, His power and His goodness, and this strengthened the flame of his desire to be healed. Then with energy and courage he went to where Jesus was, and without fear or shame openly confessed his uncleanness.

‘In the presence of Jesus, immaculate purity, the unclean leper was dumbfounded, and prostrating himself exclaimed : “Lord, if Thou wilt Thou canst make me clean.” These words of lively faith sprang from a soul crushed with sorrow, yet sustained by hope, and Jesus Christ stretched forth His hand, touched and healed him. This leper is an image of man corrupted by sin, and cured, through penance, by the grace of Jesus Christ. His deeds teach sinners with what self-knowledge, humility, faith, hope, sorrow and self-abasement they should appear in the tribunal of penance, and his words show them with what confidence and submission to the divine will they should implore forgiveness, and beg to be freed from temptation.’

The old priest continued to explain this method of expounding the Gospel. He declared that the sentiments of deep humility and lively faith of the Centurion should be imbibed by all who desire to receive Holy Communion with the greatest fullness of benefit. Then he concluded : ‘The Church herself has taken to heart the words of the Centurion, placing them in the mouths of her children before Holy Communion. If every communicant would nourish in his heart the sentiments of the Centurion, and would not rest satisfied with the mechanical repetition of his words, then of him, too, it could be said he was healed in the same hour. In that hour of humble and strong faith the life of Christ became the life of his soul, and He condescended to take up his abode therein.’

The Church, inspired from on high, Sunday after Sunday, during the course of the year, sets before her



children some of the most touching scenes and most practical teachings of the Gospel.

The value of the Gospels [writes Gihl, in *The Holy Sacrifice of the Mass*] consists principally in the fact that they give us so perfect, so plain and so living a picture of the person, of the conversation and actions, of the life and Passion of Our Divine Saviour, by the description of chosen eye-witnesses, and, what is infinitely more significant, through the inspiration of the Holy Ghost, in such wise as no oral tradition would be able to do. Grace flowed from the lips of Jesus, and a divine beauty transfigured His countenance; now in the Gospel we continue to hear the 'sweetness of His words,' and to look at his face full of heavenly benignity and majesty.

'The Gospel is Christ's voice,' says St. Augustine, 'He sitteth in heaven, but He does not cease to speak on earth.' By means of the Gospel, Christ is the light of the world. 'The word is a lamp to my feet, and a light to my paths' (Ps. cxviii. 105).

And wheresoever in the world the word of God does not shine and enlighten [quotes Gihl from Reischol, in the work just mentioned], profound darkness hovers over the ways of man and over man himself. 'For then not only security as to how to act aright, but even the whence and the whither—that is, the origin and end of our pilgrimage—all this is, for reason left to itself alone, enveloped in darkness. This darkness is enlightened and becomes marvellously bright through the word of God, by this word the ground on which we stand becomes clear, and the way we have to follow to reach our destiny is made manifest. From the word of God beams a secure light to guide us amid the various directions and helps, as well as amid the various wants, obstacles and dangers we meet on this path so stern and so difficult to be determined.'

MATTHEW KEATING, M.SS.

## A NOTE ON MEDIAEVAL SANCTUARY

By CLAUDE C. H. WILLIAMSON

THE law of sanctuary contributed largely to associate in the popular imagination the ideas of sanctity and of mercy, and to increase the reverence for human life. Obviously erroneous is the suggestion that places of refuge were established with a view to protecting unintentional offenders from punishment or revenge. It has been suggested that the privilege was to give time for the first heat of resentment to pass over before the injured party could seek redress, but this hardly accounts for its origin. Again, it has been supposed that the right of sanctuary bears testimony to the power of certain places to transmit their virtues to those who entered them. Among nearly all peoples of the world at different stages of civilization are to be found totem centres; from the Aruntas of Australia, the Arckenas of North America to the inhabitants of Hawaii, and to the Mohammedans of Persia and Morocco, while the Balder's Grove in the beautiful Sogne Fiord in Norway was a famous sanctuary to the northern peoples. In the Old Testament<sup>1</sup> the six cities of refuge were set apart to protect people who had committed murder unintentionally. While in these cities the person who wished to avenge the murder was unable to touch the murderer, and after the death of the high-priest was free permanently. In Christian times, however, sanctuary, being a privilege of the Church, did not extend to sacrilege.

The right of sanctuary had been accorded to pagan temples by Imperial decrees of Rome, and in some cases extended not only to altars, but to such things as persons and standards.<sup>2</sup> Slaves at the time of Seneca were allowed to seek shelter at the statues of the gods.<sup>3</sup> Early Christianity

<sup>1</sup> Numbers xxxv.

<sup>2</sup> Suetonius, *Vita Tiberii*, c. 37; Tacitus, *Annal.* iii. 60.

<sup>3</sup> *De Clem.* i. 18.



soon introduced the right of asylum to the churches. Eutropius, the minister of Arcadius, says that Christian people who were chased by a crowd were accorded refuge; Gregory of Nazianzus<sup>1</sup> tells that the Church harboured noble widows who were exposed to the intrusion of greedy men. St. Basil<sup>2</sup> tells of slaves for their faith doing the same. The legal privilege of affording refuge was conceded to the Church from the first ages of the Emperors becoming Christians. During the holy seasons of Lent and Easter no criminal trials could be held, and no criminal could be tortured or executed. Two laws to this effect were enacted in the East by the liberal piety of Theodosius the Younger in 380, and in the West by Honorius in 414.<sup>3</sup> But Theodosius in 392 deprived bankrupts of the privilege—*publii debitores*. A decree that follows the fifty-sixth Canon of the fourth Synod of Carthage in 399 enacts that the Bishops Epigorius and Vincent should be sent to the Emperor to beg for the churches the *jus asylosum*. St. Augustine in his *De Civitate Dei* mentions that after the taking of Rome in 410, Alaric spared all those who had taken refuge in the churches. Papal sanction was first given to it by Leo I about 460, though the first Council of Orange had dealt with the matter in 441. It was then forbidden to cross the threshold of the church with arms, and the number of cases was limited for which the right of asylum was allowed.

Gregory the Great (590–604) enacted that the use of asylum was to be used to further the interests of equity and justice, and not to screen malefactors from punishment. ‘*Si iustam contra dominos suos querellam habuerint, eum congrua ordinatione de ecclesiis exire necesse est. Si vero venialem culpam commiserint, dominiis suis accepto de venia sacramento sine mora reddantur.*’ But the immunity from the consequences of crime arising from the extended assertion of the principle led to many abuses, and by the legislature of Justinian those guilty of specified crimes were to find no right of asylum in the churches. This seems to point to a specific concession on the part of the civil power. Legal refuge was in point of fact nothing but the intercession of the clergy for men in distress, and pending the issue of their efforts, the right to protect them

<sup>1</sup> Or. 20.<sup>2</sup> Reg. Fus. Tract, inten. ii.<sup>3</sup> Comp. Jus. i. tit. 12.

from violence. A law of Justinian affirms this : *Templorum cautela non nocentibus, sed laesis datur a lege.*

Boniface V, who became Pope in 609, enacted<sup>1</sup> that 'criminals who fled to churches should not be taken thence by force.' From the words *quovis crimine patrato* it appears that no crime was bad enough to exclude a malefactor from the protection of the Church.<sup>2</sup> The same spirit is found in the *Decretum Gratiani* compiled in 1151.<sup>3</sup> By a capitular in 779, conformable to one of Carloman and Pepin passed about 744, Charlemagne decreed that churches should not be *asyla* for criminals who had committed such crimes as the law punished by death ; and if the Emperor did not go so far as to make it lawful to force a criminal from his asylum, yet he prohibited people from giving them food.

As the ages advanced the bonds of any sanctuary extended, first from the church to the cloisters and cemetery. We hear about this specially in connexion with the greater churches. In some cases the right of sanctuary extended for a few miles surrounding a church, and we find in some districts sign-posts to direct the refugee. At the present time one can be seen at Armathwaite, Cumberland, and another at St. Buryan's, Cornwall. During mediaeval times there were several famous sanctuaries which included St. Mary-le-Bow, Beaulieu, Wells, Ramsey. The knocker on the north door at Durham Cathedral and at St. Gregory's, Norwich, are said to have been used by those who fled from their pursuers to rouse the watchmen, who were in readiness in the place above to let them in at any hour, and to toll the Galilee bell as public notice that someone had come in for sanctuary. At the collegiate church at Beverley anyone who sought refuge had food provided for them with a lodging in the precincts for thirty days, after which the privilege secured them as far as the borders of the county. In some churches there was a seat provided for the delinquent called the *fridstool* (peace stool); one is still preserved at Hexham Abbey ; it is of Norman style and belongs to the twelfth century.

Sometimes, however, the pursuers braved the spiritual censures and laid violent hands upon the runaway. But

<sup>1</sup> Platina, *Vitae Pontificum*.

<sup>2</sup> *Archaeologia*, vol. viii. p. 10.

<sup>3</sup> Migne, *Patrologiae*, tom. 16, 'Regni Caesla,' p. 1255.



it was a dangerous thing to do, so they kept watch outside. A porter in a church at Newcastle, Nicholas by name, who helped to seize one who had taken refuge there, was whipped at Durham in public for three days, and could only obtain pardon by the influence of the Pope's Nuncio. *Inter alia* it must be remembered that the whole privilege of sanctuary was closely connected with that known as benefit of clergy. If a malefactor took sanctuary, the four neighbouring townships had to watch the church and prevent his escape; thus in 1221 the towns of Stone, Heath and Dunclett, near Kidderminster, failed in their duty.<sup>1</sup> About the year 1300 the bailiffs and coroners of Waterford caused the neighbours to be summoned to watch a church in which a criminal had taken refuge.<sup>2</sup> But exemptions were sometimes obtained. In 1340 the burgesses of Cardiff obtained exemption from the duty of watching fugitives who had fled to churches outside the walls of that town.<sup>3</sup>

The first authentic recorded cases in England are uncertain. Suspicion attaches to the legends which have been attributed to the Christian King Laciús (180) who conferred the privilege of sanctuary upon the church at Winchester. The earliest mention of sanctuary in England was a code of laws promulgated by King Ethelbert in 600. Sebert, the first Christian King of Essex (604), granted the right of sanctuary to the church at Westminster. In 690, Ina, King of Wessex, enacted that 'if a person who has committed capital offences shall fly to a church, he shall preserve his life and make satisfaction as right requires.' The fugitive was under obligation to make reparation for his crime; and the Council of Mentz, in 813, decreed: '*Rerum confugientem ad ecclesiam nemo abstrahere audeat . . . tamen legitime comparat quod inique fecit.*' The most ancient and famous sanctuary in England was that of Beverley, the immunities of which originated in a grant by Athelstan to St. John of Beverley after returning from his victory over the Danes at Brunamburg (937). Innocent III (1198-1216) enjoined that refuge should not be given to a highway robber or to anyone who devastated cultivated fields at night, and according to Beaumanoir's *Coutumes du Beauvoisis*,<sup>4</sup> dating from the thirteenth

<sup>1</sup> *History of English Law*, Pollock and Maitland, i. p. 531; ii. p. 588.

<sup>2</sup> *Borough Customs*, ed. Bateston, ii. p. 34.

<sup>3</sup> *Cartae et Munimenta de Glamorgan*.

<sup>4</sup> xi. 15 ff.

century, sanctuary was also denied to those who were guilty of arson or sacrilege. In 1209, venison having been found in the house of Hugh de Scot, he fled to a church in Shropshire, refused to leave it and lingered there a month. Afterwards he escaped in a woman's clothes.<sup>1</sup> Again in 1232, when Hugh de Burgh was deprived of his office of justiciar, he betook himself to the chapel of Boisars, in Essex, where he was besieged by a military force, who surrounded the chapel by a pallisade rampart.<sup>2</sup>

In Edward III's reign (1327-77) the persons accused were allowed to flee the country provided they kept certain conditions—they had to keep to the king's highway, and travel with a wooden cross in their hands, barefooted and bareheaded and in coats only. They were not allowed to remain any two nights in the same place, and were only allowed nine days to reach Dover from Yorkshire; this abjuring of the realm involved forfeiture of everything they possessed. If they could find no passage over sea, the delinquent was bound each day to walk out knee-deep in the water in proof of his good will to make the passage. While on such a journey it was decreed that the felon was to wear a costume which would cause him to be recognized as one who had taken sanctuary, and the king 'forbade anyone under pain of life and limb to kill them so long as they were on their road pursuing their journey.' An officer branded them on the brawny part of the thumb with the letter 'A,' standing for the word 'abjure,' so that all men might know in what relation they stood henceforth to society.

Further, the question of sanctuary was brought before the Parliaments of Gloucester (1378) and London (1379) on account of the abuses of sanctuary privileges. John Wyclif thought that the Church and civil courts keep their jurisdictions entirely separate; as previously both had quarrelled concerning each other's right. But it was not until 1418 that the Pope Martin V tried to regulate the question by a Bull. In 1450 during the Jack Cade rebellion, one of the fugitives fled to St. Martin-le-Grand. The King wrote to the dean of the church ordering him to produce the traitor. This the dean refused to do, and he exhibited his charters which were found to be correct.

<sup>1</sup> *Select Places of the Crown* (Seldon Society), xii. p. 9.

<sup>2</sup> *Annals de Dunstaplia*, pp. 129, 137-8.



Perhaps one of the most notable persons to claim sanctuary in the fifteenth century was Elizabeth Woodville, Queen of Edward IV, who took refuge at Westminster Abbey with her children from the hostility of Richard III, on October 1, 1470, when Thomas Meylling was Abbot. One Christopher Brown fled from the town of Lezburn to the sanctuary of St. Cuthbert at Durham, on Saturday, July 26, 1477, begging with anguish, *Peciit cum instancia*, the safety and freedom of the Saint. In 1487, Prior Selling of Canterbury was sent by Henry VII to Pope Innocent VII concerning the sanctuary laws. The Pontiff agreed that, (1) if any person in sanctuary went out at night and committed trespass and mischief, and then go back again, he should forfeit all privileges; (2) that debtors were only protected and not their goods from their creditors; and (3) that when a person took refuge for treason the king might appoint him a keeper within the sanctuary. Further, Henry VIII enacted in the twenty-sixth year of his reign that no person accused of high treason should enjoy the privilege.<sup>1</sup> In the year 1546 the only valid 'places of tuition' were Wells, Manchester, Westminster, York, Norwich, Derby, Launceston. In each of these places there was a governor who had to muster every day his men, who were not to exceed twenty in each town, and who had to wear a badge when they appeared out of doors.

At length in 1623 all right of sanctuary was abolished.<sup>2</sup> Certain shadowy rights still attach to the palace of Holyrood in Scotland. In England Whitefriars, or 'Alsatia,' had still a vague right to be claimed as an asylum.<sup>3</sup> The name 'Alsatia' first occurs in Shadwell's plays in Charles II's reign. So flagrant were the abuses here that the sovereign in 1697 abolished all the privileges and of the quasi-sanctuaries as well. These convenient retreats were situated at the Mint, Gray's Inn Lane by Baldwin's Gardens, Fleet Street by Salisbury Court, and a few others. But it was not until the time of George I<sup>4</sup> that the asylum of St. Peter's at Westminster was demolished. Some church towers were used as sanctuaries. In 1716 the parishioners of Tingwell, in Shedland, had a tradition among

<sup>1</sup> Stat. 26 c. 13, s. 2.

<sup>2</sup> Stat. James I, c. 28.

<sup>3</sup> Cf. Scott's *Fortunes of Nigel* and *Peveril of the Peak*.

<sup>4</sup> 1723, 9 Geo., c. 28.

them that after one had received sentence of death upon the Holme he obtained a remission, provided he made his escape through the crowd of people, and touched the church steeple (tower) before any could lay hold of him.

In the legislature of Sweden the last reference to this sacred privilege is found in a document dated 1528. In France it was abolished *par ordonnance sur le fait de la justice* in 1539; and in Spain it lingered on to the nineteenth century. The houses of ambassadors were sometimes quasi-sanctuaries. At Rome this right was finally denied by Innocent XI (1767-89), and in 1682 the Spanish ambassador to the Vatican renounced all right of such even for his house. Four years later the English did the same. To the present day Members of Parliament cannot be served with a writ or arrested within the precincts of the Houses of Parliament. Even during the Irish troubles in the 'eighties' Parnell avoided arrest for some time by living within the building.

CLAUDE C. H. WILLIAMSON.



# NOTES AND QUERIES

## THEOLOGY

### VALID ADMINISTRATION OF BAPTISM

REV. DEAR SIR,—1°. Is the Sacrament of Baptism validly administered, if the minister pours the water once only on the head of the child while saying *part* of the necessary form? He proceeds, for instance, in this manner: 'Ego te baptizo [*fundit*] in nomine Patris, et Filii, et Spiritus Sancti'; so that the water is all poured on the head while he says the first part of the form, and none used while he says 'et Filii, et Spiritus Sancti.'

2°. Is the Sacrament conferred validly, if, through inadvertence, the minister says 'Spiritui,' and immediately corrects himself, without repeating the form in full?

3°. Is the Sacrament validly conferred if the word 'et' before 'Spiritus Sancti' is inadvertently omitted?

4°. Sometimes the skin of infants is naturally oily, and the water seems to roll off without coming into contact with the skin. If such a thing happens, is there any doubt about the administration of the Sacrament?

AN ANXIOUS INQUIRER.

1°. The Sacrament is validly conferred in the circumstances stated; most probably the same is true even though no water at all be used during the recitation of the form—provided the interval between the two elements be very brief.

2°. Yes. And the Sacrament would be valid even if the minister did *not* correct himself.

3°. Yes. Against the validity of the baptism no argument, worth considering, has ever been adduced. What has to be guarded against, in the second portion of the formula, is any corruption that tends to obscure either, 1°, the unity of God or, 2°, the existence of, and distinction between, the three divine Persons. The formula submitted is safe enough from both points of view—unless in the extreme hypothesis that the baptizer intends to put 'Holy Spirit' in apposition to 'Father and Son,' and so proclaim a *duality* of persons.

Scavini states<sup>1</sup> that, in a Cenida case decided by the Congregation of the Council on the 12th May, 1753, a baptism was declared doubtful

<sup>1</sup> *Th. Mor.*, iii. 252.

when conferred with the form 'Mi te abbattezzo in nome del Padre e del Figliulo, dello Spirito Santo.' But we may remark :

(1.) That, even were the statement correct, no conclusive argument could be adduced against the validity of the concluding portion of the formula. The verb is deformed enough to bear the whole responsibility.

(2.) That, as a matter of fact, Scavini's statement is incorrect. The answer of the Congregation was 'Scribatur juxta mentem,' and the 'mens' is missing in the official compilation. But that it implied no condemnation of the baptism is clear enough. In a subsequent case—submitted from Fiesole on the 12th September, 1801—the statement was made that, according to the Cenida decision, 'the baptism was not to be repeated even conditionally': twenty-two years later, in connexion with a Fossombrone discussion,<sup>1</sup> the Cenida decree was referred to as having declared the baptism 'valid.' And the records of the latter case seem to indicate what the 'mens' really was—a command that nurses be properly instructed before being allowed to administer the Sacrament.

4°. We had never heard of this little physiological trouble before. And we do not think it need cause any anxiety. In normal cases, obviously, the thing is of no importance: else the manuals, written by men who have gathered up all the minutiae on the subject, would not pass it over in silence. In a *special* case, the departure from the normal will be slight enough to be negligible. When the rite is performed with ordinary care, *some* drop of water will touch successively *some* two or three points on the head of the baptized. And that suffices.

#### VIATICUM AND EXTREME UNCTION

REV. DEAR SIR,—In Session XIV, chapter iii, of the Decrees of the Council of Trent, it is stated that, if a patient, after being anointed, improves in health so as to be out of danger of death (*convalescit*), he can be again anointed when a new danger of death sets in. St. Alphonsus, quoting this decree, says that, unless the patient so improves as to be out of danger of death, there is to be no second anointing, even though the illness is a lasting one.

Occasionally, an old person will be found to live on four or five months after being anointed. And it cannot be said that the patient, at any time within that period, becomes noticeably better in health than when anointed. So, may I ask:—

- 1°. Whether such a person may be re-anointed;
- 2°. Whether such a person may, on any day within that period, receive Holy Communion without being fasting;
- 3°. Whether Holy Communion may be given to such a person at any hour of the day or night?

SACERDOS.

I. We have discussed these matters before.<sup>2</sup> If 'Sacerdos' kindly

<sup>1</sup> 24th May, 1823.

<sup>2</sup> See, e.g., I. E. RECORD, June, 1915, Fifth Series, vol. v. pp. 635-7; November, 1917, pp. 413-6, etc.



reads the replies already given, he will find that the situation may be summed up somewhat as follows:—

1°. In cases of chronic illness, Extreme Unction is not to be repeated unless there has been a recovery and relapse. But moral certainty is not required in regard to either event. It will be enough if, in the opinion of an ordinarily reasonable man who has had a fair chance of appreciating all the facts, there is a sound probability that both have occurred.

2°. Both may occur in a very short time—say half an hour or less: on the other hand, it may be obvious enough that, even after several months, neither has occurred. What period may be fixed on as a general standard? The experts select a month. They do not claim anything approaching mathematical accuracy. There is nothing specially sacrosanct about the period: it just represents a rough estimate based on intelligent experience. In particular cases it may have to be modified; but, as a rule, and apart from strong evidence to the contrary, it gives as good results as can be reasonably hoped for until the world becomes wiser than it ever was.

3°. That is the practical rule. Its theoretical justification is not so clear. The majority of experts seem to argue as follows. When a patient is in real danger—in such danger as justifies the administration of Extreme Unction—it may be reasonably anticipated that the disease, if allowed to pursue its course unchecked, will prove fatal within a month. If, after the month has passed, he is still alive (though dangerously ill), two conclusions may be drawn: first, that the disease has *not* followed its course unchecked—in other words, that there must have been a recovery at some time or other, even though the most observant attendant cannot fix the precise date; second, that (consequently) the danger now existing is not the danger that threatened the patient a month ago. In such circumstances, a repetition of the sacrament is valid and lawful.

Others view things differently. Experience tends to show, they say, that the theory of recovery is a myth: the disease often does pursue its course unchecked, slowly but surely, for a very considerable time. Why, then, administer the sacrament after a month? Because the fact that the patient has lived so long proves that there was *no* real danger a month ago.<sup>1</sup> The attendants were mistaken: the ceremony was invalid; if the sacrament is administered now, it is administered for the first time. But *is* it validly administered even now? That cannot be known just now for certain; it will be decided only when the next month proves that there is, or is not, real danger at the present moment.

The second theory is ingenious. Whether true or false, who can say? Our consolation is that, from the practical point of view, we are not called upon to say anything. Both sides agree on the practical consequences. Whether the ceremony involves a first, or a second, or no administration at all—let theorists decide. That the priest is

<sup>1</sup> So far as we know, the theory was first suggested in the *I. T. Quarterly*, January, 1907, p. 54.

allowed, and indeed obliged, to do all *he* can to administer the sacrament now, all admit. And that is the problem with which 'Sacerdos,' as a practical man, is mainly concerned.

II. To the second and third queries we have already replied in the affirmative more than once.<sup>1</sup> The older authorities used to be comparatively strict: would allow the Viaticum only at protracted intervals, would insist that the recipient should, as far as conveniently possible, comply with the usual regulations regarding the fast and the hours of administration, etc. But there was always a strongly-supported opinion that patients qualified to receive the Viaticum were simply *exempt* from these regulations; and the prescriptions of the Code point in the same direction. Reverence for the sacrament will suggest greater rigour and self-sacrifice in practice, as it suggested the law itself in the beginning; but, strictly speaking, there would seem to be no obligation arising either from the fitness of things or from the Church legislation on the subject.

#### PENITENTIAL JURISDICTION IN THE CODE

REV. DEAR SIR,—May I suggest a doubt on the meaning of 'fidelium' in Canon 892, § 2, of the Code. Is it to be understood in its unrestricted sense, namely, 'fidelium ubique terrarum,' for confessors outside as well as inside their dioceses, etc.? This of course, would import a revolutionary change in Church discipline and practice. And commentators, I believe, do not interpret the word in the sense I mention. I make the following points:—

- (1) The tendency of Church law in recent times to favour penitents.
- (2) The congruity of giving to confessors in general travel extraordinary faculties, as is the case of 'confessores navigantes,' at least in cases of urgent necessity.
- (3) 'Fidelium' in paragraph 2 is unqualified—'ubi lex non distinguit, etc.'
- (4) The words of Canon 892, § 2, are apt words to express and convey the extended power.
- (5) Confessors are bound 'ex caritate,' where 'parochi, etc.' are bound 'ex iustitia,' to hear the confessions of the faithful over whom they have jurisdiction 'quoties ii audiri rationabiliter petant.' Certainly it is not required that urgent necessity be present before the obligation 'ex caritate' arises.
- (6) To say, therefore, that confessors in reference merely to the faithful under their jurisdiction are bound 'urgente necessitate' is to imply that they are not bound under less important circumstances.
- (7) The words of the Code are 'omnes confessarii.' The word 'confessarii' alone would be properly used if 'fidelium' be accepted in the restricted sense, whereas 'omnes' seems to make for, and agree with, the idea of universality in connexion with 'fidelium.'
- (8) In the second member of the sentence of paragraph 2, Canon 892, i.e., 'in mortis periculo,' 'fidelium' bears an unrestricted sense—*ergo*,

<sup>1</sup> See previous issues.



*a pari*. We are not to suppose that the compilers would use the same word in different senses in the same sentence.

(9) Congruity. The greater the need, the greater the help. Thus, for necessity (a) 'levis' or 'communis'—all priests having jurisdiction in the area; (b) 'urgens'—all priests having jurisdiction anywhere; (c) 'extrema'—all priests without exception.

(10) 'Fidelium' in paragraph 1, Canon 892, is qualified, i.e., 'fidelium sibi commissorum.' The qualification in itself is unnecessary; it is made simply for greater clearness. For, it is evident, the obligation 'ex justitia' of the 'parochus' can apply only to those for whom he holds a benefice. But 'fidelium' of paragraph 2, immediately following and dealing with the larger virtue of charity, stands alone, leaving the qualification to be understood, unless we accept 'fidelium' in a universal sense.

#### RUS IN RURE.

Our correspondent's suggestion is somewhat revolutionary. Like all revolutions, it would, if successful, find many apologists and even panegyrists. But, in the transition stage, it stands in need of support from reason and authority. And we fear there is little chance of support from either quarter.

To simplify matters, we may distinguish the three stages of 'necessity' that demand, or suggest, the administration of the sacrament. They are:—

1°. 'Extreme'—when the patient has reached the point from which there is no returning ('articulus mortis'), or has, at least, entered on the *particular* downward path that, in all human probability, will, sooner or later and soon at latest, lead to final dissolution ('periculum mortis').

2°. 'Grave'—when the conditions just mentioned do not apply, but when the refusal of the Sacrament would lead to very serious trouble in the spiritual life of the individual concerned. The standard is very well expressed in the famous decree of 1886—and in the replies that extended, or modified, its application. But, on principles already stated,<sup>1</sup> we think that the case arises only when the person concerned *feels* and *realizes* his position.

3°. 'Ordinary'—when even the conditions mentioned in the second case are wanting, though it would be a great convenience, and a very desirable help in the spiritual life, to have the sacrament administered. It is the stage of our correspondent, and (we earnestly hope) of ourselves, and of every normal human being, for 'in multis offendimus omnes.'

Now, in regard to the first and third cases, our correspondent is fairly in line with the authorities. When there is even 'danger' of death, all priests can, and may, absolve every one duly disposed (882). When the 'necessity' is only 'ordinary'—when the request is mere 'reasonable' (892, § 1)—no one, except those specially commissioned, is called upon to exercise, nor is a 'simple priest' entitled to claim any penitential jurisdiction.

The trouble is confined to the second case. Our correspondent holds apparently that every priest who has jurisdiction *anywhere* is obliged,

<sup>1</sup> See I. E. RECORD, May, 1916, Fifth Series, vol. vii. pp. 487-8.

and of course entitled, to absolve *all* penitents from every quarter; and he gives, in support, a graduated scale.

In reply to that, we should like to say:—

1°. That the graduated scale has been already provided. It takes this form:

(a) When the danger is 'extreme,' *all* priests are bound to absolve.

(b) When 'grave,' *all confessors*.

(c) When 'ordinary,' those bound by special obligations—parish priests, etc.

2°. That his definition of 'confessor' is peculiar. He holds that a man commissioned (say) in Derry is a 'confessor' in Cork or Dublin. That is not the ordinary teaching. And it is implicitly repudiated by the Code (883).

3°. That his revolutionary suggestion calls for some documentary support. There is none, he will admit, in pre-Code legislation. And none in the Code either. For:—

(a) the Code, he will agree, makes no explicit reference to his case;

(b) it provides for two definite cases—for the 'danger of death' (882), and 'sea voyage' (883)—and leaves all others untouched. And 'quod legislator tacuit nolit.'

(c) His suggestion comes to this: a departure from all previous teaching, and an almost indefinite extension of all confessors' jurisdiction, is conveyed in an off-hand, casual fashion in a canon (892) that really only expresses a principle held in pre-Code days by every expert in Moral Theology and Canon Law. If that possibility be admitted, the Code becomes a dangerous minefield: any canon we touch may blow our forts to atoms.

So, to his arguments in order, our reply would be:—

1°. The tendency *has* been to favour penitents. But not in the sense of granting almost unlimited liberty. The reply quoted in one of our last issues is the best illustration we can give.<sup>1</sup>

2°. The congruity is debatable. But the important point is that provision has been made for 'sea-voyages' and for no other cases.

3°. 'Where the law makes no distinction, neither should we.' A good principle—supported by the Decretals and by all the force of antiquity. But always with the proviso 'if we have no satisfactory reason to the contrary.' And, unfortunately for our correspondent's well-laid scheme, the reason in this case is more than satisfactory.

4°. 'Apt,' yes—if the law and received teaching had nothing to say to the opposite.

5°. We question the statement. As we view the matter, 'confessors' are *not* always bound in charity when those specially commissioned are bound in justice.

6°. We agree.

7°. Yes, all confessors *are* bound—in the second case stated above,

<sup>1</sup> I. E. RECORD, October, 1919, pp. 313-4.



when 'necessity urges.' But the term 'confessor' must be taken in its accepted sense: it applies only to a man who holds habitual penitential jurisdiction in a definite locality. Within that area *he* is a 'confessor': all others—no matter what faculties they hold at home—are ranged in the category of 'simple priests.'

8°. We are not to suppose it—without good reason. But the reason is at hand. For:—

(a) The suggestion, as we have said already, is opposed to all previous teaching: and in doubtful matters, our final court of appeal is indicated in Canon 6, 4°.

(b) It was quite reasonable to omit 'sibi commissorum' in the first section of Canon 892, § 2. For priests with (say) diocesan delegation—'confessors' for the diocese—could not, outside their own parishes, talk of the people as being their own 'subjects' or 'committed to their care.'

9°. 'Congruity' is already provided for. And will our correspondent claim, under his own section (a), that a priest (say) of Westland Row is bound in charity to hear the confessions of the ordinary Saturday penitents in Dalkey?

10°. 'Leaving the qualification to be understood.' That, we think, is what happens. Though 'fidelium' stands alone, its limitations are revealed by the old legislation, by the teaching implied in the Code itself, and by the use of the term 'confessarius.'

So much for technical points. On wider grounds, we have no doubt that our correspondent's suggestion will evoke a good amount of sympathy. It would smooth over many a difficulty, and remove much misunderstanding—not only on the part of intelligent outsiders but of our Catholic laity as well.

### ENGAGEMENTS

REV. DEAR SIR,—I would like your comments on the following paragraph taken from *Instructions in Christian Doctrine*, published by St. Anselm's Society, page 383:—

'In some countries it is usual solemnly to affiance the bride and bridegroom to one another, in what is called espousals. Espousals are a contract between a man and a woman to accept one another in marriage, not at the present moment, but hereafter. Where these are customary, the parties are absolutely bound to each other, and some other consequences follow. But as they are not customary in this country it is sufficient to observe that even a promise of marriage is binding under mortal sin.'

In view of the above I would like to know

(a) Does a mere ('informal') promise of marriage bind *sub gravi*?

(b) Do 'espousals' bind *absolutely*?

C.C.

About the extract quoted there is something strongly suggestive of dead and buried legislation—echoes of a time that knew nothing of the Code. However interesting and impressive those 'solemn espousal'

ceremonies may be, they are, in the light of Canon 1017, of no value in Canon Law unless they crystallize in the form of a 'document signed by the partners, and either by the parish priest or by the local Ordinary, or by at least two witnesses.' If a man of excitable temperament stumbled on the canon, he would probably refer to it as the one little item of fact that represents in a prosaic age the imposing ceremonial of poetry and chivalry—the one little jagged stone saved from the *débris* of an artistic civilization. He would even find something historically pathetic about the 'promise of marriage binding under mortal sin.' There was such a thing once. But, he would add, it was in the days when honour ranked high, and when men foolishly thought that a sworn promise was a binding pledge.

But to come to the prosaic facts :

(a) 'Bind *sub gravi*' ! Why, it does not bind at all. Not even when a man swears to keep it. So the majority of theologians assure us. The following queries and answers represent their view :

An valida sint sponsalia privatim inita absque forma praescripta, saltem in foro interno ? Resp. *Negative*. . . .

An saltem sponsalia privata adjecto juramento ita confirmentur ut valeant nec rescindi possint sine injuria ? Resp. *Negative*. . . .

An, posito quod sponsalia privata invalida sint, teneatur juramentum praestans illud implere ? Resp. *Negative*. . . .<sup>1</sup>

We think the teaching is wrong—that there is an obligation in fidelity, trust, decency, and honour. So long as these remain virtues, their violation can be nothing but a sin. Generally perhaps not a mortal sin, but certainly so occasionally.<sup>2</sup> That, however, is only an individual view : the great body of opinion is represented in the extracts quoted.

(b) By 'espousals' we presume 'C.C.' means the valid contract recognized by Canon 1017. Even with that restriction, the query may mean :—

1°. Does the contract bind for ever and in all circumstances ? To which the answer must be in the negative. Very few contracts bind in that cast-iron fashion ; and 'C.C.' is, of course, aware of many sets of circumstances that—as the manuals testify and all authorities admit—will justify a rescission of this particular agreement.

2°. Does the contract bind the parties to *contract marriage* ? Some authors we have read say 'No : it imposes, not an absolute, but an alternative, obligation—*either to marry or to repair the injury*.' For our own part, we see no reason for the view. If a man promises to do a thing, he promises to do *that* thing—not something else of which no mention is made in the document he signs. If he fails, he will probably be penalized and forced to do something else unpleasant ; but that is no solution of the problem. Even when he *has* done the something else,

<sup>1</sup> Sabetti-Barrett, *Comp. Th. Mor.*, n. 838 (Code edition).

<sup>2</sup> On the nature of an obligation in fidelity, see, e.g., Lugo, *De Jus. et Jure*, d. 23, n. 12 ; Lehmkuhl, i, 1285 ('obligatio gravis evadere potest'), etc.



his broken promise is still a broken promise. The corrupter of the innocent may pay a fine or go to prison, but the violated innocence is not repaired : the murderer may hang, but his victim is still among the dead.

For a fuller discussion of the points involved, 'C.C.' will perhaps consult an earlier article.<sup>1</sup>

M. J. O'DONNELL.

## CANON LAW

### SOME ASPECTS OF THE LAW REGARDING ATTENDANCE AT THEATRES

REV. DEAR SIR,—In my clerical circle there has been much discussion of Canon 140 'de Spectaculis' of the New Code, and as usual, 'abeunt in diversas sententias theologi.' I should be grateful for an expression of your views on the following dubia which have been raised.

Whether a secular priest holding diocesan faculties in this province of Liverpool is free to go to theatres in London the law prohibiting having been enacted before the separation of the provinces;

Whether clerical *peregrini* from, e.g., Ireland are in a like position; and,

Whether members of religious Orders holding diocesan faculties are free to go to theatres in the diocese where they work; the exemption from episcopal laws which they enjoy as religious removing them apparently from the incidence of the law that regulates under the formidable penalty of *ipso facto* suspension the conduct *in hac re* of their secular brethren?

PRESBYTER LIVERPOLITANUS.

I. The legislation of the Code on attendance at theatres, contained in Canon 140, is little more than a confirmation of the natural law. It forbids clerics to be present at plays and similar performances which are immoral or unbecoming in their tendencies, and even at those which are quite proper if their presence would be a source of scandal to the faithful. The Westminster Synodal Law in this matter, to which our correspondent refers, is much more strict. 'Furthermore,' said the Fathers of the Fourth Provincial Council, 'we strictly prohibit clerics in Sacred Orders to be present at scenic displays in public theatres, or in places used for the time being as public theatres; imposing on transgressors the punishment of suspension, to be incurred *ipso facto*, hitherto binding everywhere throughout England, and reserved to their respective Ordinaries.'<sup>2</sup> As our correspondent, however, insinuates, this law was made

<sup>1</sup> I. E. RECORD, June, 1918, Fifth Series, vol. xi. pp. 456-63.

<sup>2</sup> Decret. xi. n. 9. 'Prohibemus, insuper, districtè ne ecclesiastici sacris ordinibus initiati scenicis spectaculis in publicis theatris, vel in locis theatri publici usui ad tempus inservientibus, intersint, imponentes transgressoribus poenam suspensionis ipso facto incurrendam, hactenus ubique in Anglia vigentem cum reservatione respectivo Ordinario.'

when there was only one province in England, and consequently its position, as well as that of the other Synodal Laws, was a subject of much discussion, when, during the last few years, Westminster was divided up, and several new provinces erected. The Consistorial Congregation was consulted on the matter, and, in August, 1918, it declared that the laws and decrees of the four Councils of Westminster still bound in the new provinces, unless in so far as they had been modified by the New Code of Canon Law.<sup>1</sup>

The answer of the Consistorial Congregation does not settle all the difficulties which may be raised. The important question still remains to be decided as to whether the Westminster decrees are to be regarded as merely provincial laws for each of the new provinces and for Westminster itself, or whether they are to be considered as national laws for the whole country. If they are merely provincial, then those who are in some English province other than their own are bound by them only as *peregrini*; on the other hand, if they are national, those outside their province are still bound by them as subjects. Well, it seems to us that the Westminster decrees must be regarded as national laws for the whole country. In the Councils in which they were made, the Bishops of the whole country, not merely those of the present province of Westminster, participated, consequently subjects to their laws, as long as they remain in England, cannot invoke the privileges of *peregrini*; they are not outside the territory of the legislators. Moreover, the Westminster decrees originally bound the country as one territory. They should, therefore, continue to do so, unless it is made clear that the erection of the new provinces changed their significance. There is no indication of this in the reply of the Consistorial Congregation already referred to; in fact, the very contrary is the case. By stating, without distinction, that these laws still bound in the new provinces, the Congregation seemed to imply that they bound in the same way as previously. If they did not, it would seem incumbent on the Congregation in the circumstances to have drawn the distinction.

If what has been said is correct, it is quite clear that a Liverpool priest is bound by this theatre-going law, as well as by all the other laws of the Westminster Councils, when he is in London, just in the same way as when he is in his own province. In passing, we may remark that the Westminster decree on attendance at theatres has not been modified in

<sup>1</sup> *Acta Ap. Sedis*, vol. x. n. 9, p. 365. 'Quaesitum fuit utrum dismembrata proximis praeteritis annis ecclesiastica provincia Westmonasteriensi et creatis ex ea novis quattuor provinciis, leges et decreta Conciliorum provincialium Westmonasteriensium, quae praecesserunt, quaeque annis 1852, 1855, 1859 et 1873 celebrata sunt, adhuc vim obligandi habeant et debeant ab omnibus ad unguem servari; an potius in novis provinciis valere cessaverint, nec amplius ea rata ac firma haberi debeant.

'Re maturo examini subjecta, Ssmus D. N. Benedictus PP. XV. jussit responderi:

'*Affirmative* ad primam partem, salvis tamen novi Codicis praescriptionibus si et in quantum legibus et decretis dictorum Conciliorum derogaverint; *negative* ad secundam partem.'



any way by the New Code of Canon Law ; there is no opposition between it and Canon 140.

II. The position of Irish priests, whilst on a visit to England, in regard to theatre-going is on a somewhat different footing. They are bound, of course, by the general law ; and hence it is not lawful for them to be present at theatres, when immoral or unbecoming plays, etc., are being performed, or when their presence would be a source of scandal to the faithful. But are they bound by the Westminster law ? This is a question not so easy of solution. According to Canon 14, § 1, 2°, *peregrini* are not bound, generally speaking, by the local laws of the place in which they are. There are two exceptions : laws intended for the preservation of public order ; and those which determine the formalities to be observed in the performance of certain acts. The question to be decided is whether a theatre-going law, such as that of Westminster, is for the preservation of public order. The first difficulty that presents itself in this enquiry is to know precisely what is meant by a law for the preservation of public order. It seems to us that it is one, the primary object of which is to preserve the rights and promote the welfare of the community as a whole, or of some particular class in the community. It is distinguished from one which is primarily intended to serve the interests of individuals, and only indirectly to promote the general well-being. Though pre-Code writers on ecclesiastical law did not deal formally with this distinction, yet the passing references which they made to it show that they understood it in the sense just explained. It is in connexion with the subjection of non-Catholics to ecclesiastical legislation that these references are especially to be found. Many canonists and moralists held that whilst members of heretical and schismatical sects were bound by laws for the preservation of public order, they were exempt from those which directly tended towards the sanctification of the individual. The following quotation from Marc is typical : ' This will of the Church is to be presumed in respect of those laws which directly tend to the sanctification of souls, such as the laws of fasting, feasts, etc. It is otherwise in respect of laws which are made for the repression of abuses and for the guardianship of public order, e.g., matrimonial impediments.'<sup>1</sup> This explanation of the distinction is quite in conformity also with the teaching of Catholic writers on Ethics. The social order, the preservation of which they conceive to be the object of society, whether civil or ecclesiastical, comprises both the public juridical relations by which the social body, as such, subsists and is preserved, and the private rights and interests, on the promotion of which the happiness and security of individuals primarily depends.

The next point in our enquiry is to determine what is the primary purpose of a theatre-going law such as that of the Synod of Westminster. Is it to promote the sanctification of individual priests ? Or is it to preserve the dignity of the ecclesiastical state and secure for it that respect and reverence which is its due ? Our opinion is that the latter constitutes its

<sup>1</sup> *Th. Mor.* vol. i. n. 107.

primary object. If the sanctification of individuals were the primary purpose, there would seem to be no reason for making the local more strict than the general law; it would scarcely be reasonable to interdict attendance at plays which are irreproachable from the moral standpoint. The fact that public theatres alone are banned indicates also that the well-being of the whole clerical order is the primary purpose of the law; the sanctification of individuals would be quite as much endangered by attendance at private performances. The law on theatre-going of the Third Council of Baltimore affords a further confirmation of this view: '*Celebre inter sanctos Patres axioma habet, multa quae fidelibus licent clericos dedecere. Ita ut ecclesiastico ordine honor suus et decus servetur, mandamus ut sacerdotes a publicis equorum prorsus abstineant cursibus, a theatris et spectaculis.*'<sup>1</sup> Clearly, the American Bishops understood the primary object of this law to be, not the welfare of individual clerics, but the honour of the whole order.

We are, therefore, very strongly inclined to think that Irish priests, when on a visit to England, are bound by the Westminster law regarding attendance at theatres. At the same time we have not the slightest intention of claiming that our reasoning is absolutely demonstrative, nor have we the slightest desire to impose our conclusions on those who see reason to differ from us. This question of the subjection of *peregrini* to laws for the preservation of public order is a difficult one. We have simply given it the explanation which, in view of all the facts, strikes us as being the most reasonable.

III. To understand fully the position of religious in regard to theatre-going laws, a few preliminary remarks on the general question of their subjection to Bishops and other local legislators are necessary. We must distinguish between exempt and non-exempt religious. The former are freed from subjection to local Ordinaries, except in those matters specially mentioned in law; theatre-going is not one of these. On the other hand, non-exempt religious are subject to local superiors, unless in those cases in which there is a disposition of law to the contrary; and again, attendance at theatres is not one of the excepted matters. Religious with solemn vows are, as a rule, exempt<sup>2</sup>; those with simple vows are non-exempt, unless the privilege of exemption has been specially granted to them.<sup>3</sup> There is, however, a slight modification of these general rules in Canon 631, where it is stated that a religious parish priest or vicar is directly and completely subject, just in the same way as a secular parish priest, to the jurisdiction, visitation and correction of the local Ordinary, the observance of regular discipline being the only matter excepted.

We are now in a position to advance the following conclusions regarding the subjection of religious to the laws on attendance at theatres:—

- 1°. All religious are subject to the general law contained in Canon 140.
- 2°. Non-exempt religious are subject also to local laws on this matter.
- 3°. So also are exempt religious if they are parish priests or vicars.
- 4°. Other exempt religious, strictly speaking, do not seem to be

<sup>1</sup> N. 53.<sup>2</sup> Canon 615.<sup>3</sup> Canon 618.



bound by local laws on theatre-going. If, as we suppose, these laws are for the preservation of public order, this is somewhat of an anomaly, considering the attitude adopted in regard to *peregrini*.

### PIOUS BEQUESTS

REV. DEAR SIR,—Please oblige me with your decision through the I. E. RECORD *re* the following case:—

John wishes to bequeath his property for the benefit of the local Catholic church where he resides, and informs his friends and fellow-parishioners of the fact; he also informs them that the Bishop of the diocese will be given by Will power to allocate the funds accruing for the uses and benefits of the Church.

A lawyer draws up John's Will and in it he writes: I (John) give and bequeath to the Bishop all my property for the uses and benefit of the Church (omitting all mention of the local church to which John actually and really intends to bequeath his property). The lawyer considers this clear enough, and charity begins at home, and John must naturally mean *his own local church* and not 'the Church' in general. The Bishop claims the bequest as on the face of the Will (disregarding John's intention as made known verbally) and does as he pleases with the bequest (for 'the Church'), as the law, it appears, permits. Does the Bishop act rightly in depriving the local church (sorely in need) of the property, while other churches in his diocese get the benefit of it? The Bishop is told and made fully cognisant of John's *real* intention.

INTERESTED.

In view of Canons 1513, § 2, and 1514, the solution of this question need cause no difficulty. According to the former 'the solemnities of civil law should be observed, if possible, in wills in favour of the Church; if they have been omitted, the heirs should be admonished to fulfil the testator's wishes.' Canon 1514 states that 'the wishes of the faithful who donate or leave their property to pious uses, whether *per actum inter vivos* or *per actum mortis causa*, should be most diligently fulfilled, even in regard to the manner of administration and distribution of the goods.' It is clear, therefore, that, if it was John's intention to leave the property to the local church, his purpose should be faithfully carried out, even though the terms of his will are capable of a different interpretation. If our correspondent has given a correct and complete account of the circumstances, there is, we think, sufficient evidence available to show that such really was his intention.

### ABSOLUTION FROM THE EXCOMMUNICATION DECREED AGAINST HERESY

REV. DEAR SIR,—In virtue of the first article of the Formula VI., the Irish Bishops had power to absolve from heresy; and, of course, they could also communicate this power with certain limitations to their priests. The Formula has now been withdrawn; and they find themselves compelled

to rely entirely on the power conferred upon them in Canon 2314, § 2. Would you kindly state if they may delegate the power of absolving which they there receive?

INTERESTED.

Some idea of the contents of Canon 2314, § 2, is necessary to understand precisely to what power our correspondent refers. The first section of this Canon states that those who are guilty of apostasy, heresy or schism, incur excommunication *ipso facto*; and the second section proceeds immediately to deal with the absolution of this censure. In the internal forum, whether sacramental or non-sacramental, it declares the absolution to be specially reserved to the Holy See; and, consequently, whoever absolves, even though he be a Bishop, must observe the rules governing the absolution of this class of censure. The section then goes on to state that if the crime of apostasy, heresy, or schism is brought to the external forum of the local Ordinary in any way whatever, even by voluntary confession, the Ordinary, but not the Vicar-General without a special mandate, can absolve the penitent in the external forum by his own ordinary power, provided that a previous abjuration has been juridically made, and that all the other requirements of law have been fulfilled; the person thus absolved can then be absolved from the sin in the forum of conscience by any confessor. An abjuration is regarded as having been juridically made when it takes place before the local Ordinary himself or his delegate and at least two witnesses. Our correspondent, therefore, has in view the power in virtue of which the local Ordinary absolves in the external forum from the excommunication incurred by apostasy, heresy, or schism. As the canon states that it is ordinary power, and as besides no restrictions in regard to its communication have been made, it follows from the general principle, enunciated in Canon 199, § 1, that the local Ordinary may delegate it, either habitually or in particular cases, to his priests or, in fact, to any persons capable of acquiring ecclesiastical jurisdiction. As a general rule the Vicar-General is included in the term 'local Ordinary'; so far as this particular power is concerned, however, he is not. He may, of course, acquire this power by delegation, just in the same way as other priests; but he may also acquire it, as the text clearly indicates, by special mandate; and when acquired in this way, it is regarded as part of the power pertaining to him in virtue of his office, and consequently as ordinary jurisdiction.

The Canon makes the point so clear that there is scarcely any need to insist upon the necessity of remembering that this power can be exercised only in the external forum and with the observance of the prescribed formalities. But though it cannot be used in the internal forum, it takes effect therein; those who, in virtue of it, have been freed from the excommunication can then be absolved from the sin by any confessor. This is a very practical illustration of the general principle of Canon 202, § 1, that an act of jurisdiction granted for the external forum takes effect also in the internal.

J. KINANE.



## LITURGY

## THE CONFRATERNITY OF THE BLESSED SACRAMENT

REV. DEAR SIR,—I am ordered to erect a Confraternity of the Blessed Sacrament in accordance with Canon 711, § 2, of the New Code. Would you kindly say how I am to proceed? I don't know for certain anything about the particular Confraternity to be erected and hence will be most grateful for information. I am sure it would be of advantage to many priests to have light thrown on the subject in the pages of the I. E. RECORD.

PASTOR.

According to the New Code there are two Confraternities which should be erected in every parish, the responsibility for their erection resting in the first instance with the Ordinaries of the place. Canon 711, § 2, reads: 'Let the Ordinaries take care that the Confraternities of the Blessed Sacrament and of Christian Doctrine are established in every parish, and once legitimately erected they are *ipso jure* affiliated to their respective Arch-Confraternities erected in Rome by the Cardinal-Vicar of the City.' As the erection of a Confraternity of the Blessed Sacrament in every parish is therefore a matter of importance, we shall try to accede to the request of our correspondent as fully as the limited space at our disposal will permit. We shall firstly give (I) some general ideas of a Confraternity as defined and explained in the New Code and then throw what light we can on (II) the particular Confraternity of the Blessed Sacrament.

I. (a) THE MEANING OF A CONFRATERNITY.—The New Code is explicit on the meaning of a Confraternity as distinguished from other pious associations of the faithful. Canon 707 distinguishes three such associations, viz., *Pious Unions*, *Sodalities* and *Confraternities*. A Pious Union is any association of the faithful erected for the exercise of works of piety or charity; if the association is constituted after the manner of an organic body or, in other words, has organic unity, it is called a Sodality; if a Sodality has as an additional end the promotion of public worship, it is called by the special name of Confraternity. As distinguished therefore from the other two, the special end of a Confraternity is the promotion of public worship. Again, every pious association, in order to be recognized as such in the Church, should be either canonically erected or at least approved by proper ecclesiastical authority. For a Pious Union and a Sodality the approval of the Ordinary suffices, and having that approval they are capable of obtaining spiritual favours and especially indulgences. A Confraternity, on the other hand, requires formal canonical erection by legitimate ecclesiastical authority, and acquires thereby what is technically known as a moral or juridical personality.<sup>1</sup> Members of a Confraternity accordingly can participate in sacred functions

<sup>1</sup> Can. 708, 100, 687.

only when they wear the dress or insigna prescribed for the Confraternity<sup>1</sup>; women are to be enrolled only for the purpose of gaining the indulgences and spiritual favours granted to membership<sup>2</sup>; and, unless the Ordinary otherwise directs, all the members of the Confraternity should assist in their juridical capacity with their proper insigna and under their own standard at the customary and occasionally prescribed processions.<sup>3</sup>

(b) THE CANONICAL ERECTION OF A CONFRATERNITY.—(1) The first essential of every Confraternity is that it should be formally erected by competent ecclesiastical authority. This power belongs *jure ordinario*<sup>4</sup> to the Bishop<sup>5</sup> of the diocese; his authority suffices without any further confirmation from the Holy See. In granting the decree sanctioning the erection of the Confraternity the Bishop is reminded in the Bull *Quicumque*<sup>6</sup> of Clement VIII, and more explicitly in the New Code,<sup>7</sup> to see that not more than one Confraternity of the same name and object ('*ejusdem tituli et instituti*') is erected in the same place—'*nisi id eis specialiter concessum sit aut jure cantum*'—but in large towns he is left to his own discretion in sanctioning the erection of several such Confraternities. In making application, therefore, to the Bishop for the canonical erection of a particular Confraternity, the petitioner will do well to mention the names of the other Confraternities (if any) already established in his parish. (2) Again, the *Statutes* of the proposed Confraternity should be submitted for the approval of the Bishop. Statutes are not absolutely essential to a Confraternity,<sup>8</sup> but they are exceedingly useful and are always presupposed. In them is indicated more explicitly the special object of the Confraternity, as well as the practical means of attaining it, e.g., the prayers, the good works, the public exercises, the days of reunion, etc., The statutes of a particular Confraternity are usually modelled on those already approved for the Arch-Confraternity of the same name, but the Bishop to whom they are submitted is free to add to or subtract from them according as the circumstances of the parish or the diocese may demand. (3) Every canonically erected Confraternity should have a *Director* (or President). The Bishop nominates him and gives him all the necessary faculties. In giving the nomination, whether to an individual or to the P.P. *pro temp.*, the Bishop is recommended, in the interest of all concerned, to include the power of delegating

<sup>1</sup> Can. 709, § 1.

<sup>2</sup> Can. 709, § 2.

<sup>3</sup> Can. 718.

<sup>4</sup> It does not pertain to the Vicar-Capitular, nor even to the Vicar-General, except in so far as he has received a special mandate *ad hoc* from the Bishop. (S. C. C., August 18, 1861; November 23, 1878.)

<sup>5</sup> Extraordinary powers are sometimes granted by the Holy See to Missionaries, and special privileges are commonly accorded to the Heads of religious Orders, but in the latter case the consent of the Ordinary, given in writing, is essential to the validity of the erection—unless the privileges expressly provide otherwise. (S. C. I., March 5, May 20, 1896.)

<sup>6</sup> Vide Beringer, *Les Indulgences*, vol. ii. p. 11; Ojetti, *Synopsis Rerum Moralium*, vol. i. pp. 1259–1275; Ferraris, *Bibliotheca*, tom. ii. p. 1057.

<sup>7</sup> Can. 711.

<sup>8</sup> Vide Beringer, vol. ii. p. 14.



another priest if the necessity should arise. With the Director thus nominated rests the power of receiving members, of blessing the scapulars, medals, insignia—in a word, the responsibility for the whole management and order of the Confraternity.

(c) MEMBERSHIP.—Only those who are members participate in the indulgences and privileges, and an essential condition of membership is enrolment in the register of the Confraternity. It is the duty of the Director (or his appointed delegates) to see to the inscription of the name of each new member, and it is expressly forbidden to inscribe the names of absent persons.<sup>1</sup> Once legitimately enrolled, a person cannot be deprived of membership unless the conditions demanding expulsion as prescribed in the statutes are fulfilled, and in all cases the individual expelled has the right of appeal to the Bishop.<sup>2</sup>

(d) AFFILIATION.—Each Confraternity is ordinarily affiliated to a Primary or Arch-Confraternity of the same name, and through this affiliation, validly effected, it becomes capable of obtaining the spiritual favours and indulgences granted by the Holy Sec. The affiliation may take place either *de jure* on the canonical erection of the Confraternity or by means of a special petition to the Arch-Confraternity duly executed in accordance with prescribed rules. Confraternities of the Blessed Sacrament and of Christian Doctrine once legitimately erected are *ipso jure* affiliated to their respective Arch-Confraternities at Rome, and partake of all their privileges and indulgences.<sup>3</sup>

II. THE CONFRATERNITY OF THE BLESSED SACRAMENT: (a) ITS AIM AND ORIGIN:—As the name implies, this Confraternity has for its special object the public worship of Our Lord in the Holy Eucharist. It purposes to give greater honour to Our Lord in the Sacrament of His love, and to give proof of faith and devotion by a greater respect and reverence for everything connected with the Blessed Sacrament. It originated<sup>4</sup> at Rome in the Dominican Church of St. Mary's *supra Mineram*, and was first approved by a Bull of Paul III, dated November 30, 1539. The originators were a number of the faithful of both sexes, who banded themselves together in order to bring about a greater reverence for the Blessed Sacrament in the parochial churches of the City, to accompany the Viaticum to the sick with lighted torches, to see to the decoration of the Tabernacle and the maintenance of the Sanctuary Lamp, to have a Mass said or chanted on the third Sunday of the month at which all the members were to attend and to hold lighted candles during the Elevation, to have a solemn procession of the Blessed Sacrament around the Church of St. Mary's on the Friday after the Feast of Corpus Christi, to visit the sick and exhort them to the worthy reception of the Viaticum, to offer each week one 'Pater' and five 'Aves' as a token of gratitude to the Blessed Eucharist, etc. Enriched and privileged by successive Popes, it quickly spread throughout Rome, and the Confraternity of St. Mary's was raised to the rank of an Arch-Confraternity, with the power to affiliate similar Confraternities in every part of the world. By a decree

<sup>1</sup> Can. 693.

<sup>2</sup> Can. 696.

<sup>3</sup> Can. 711.

<sup>4</sup> Vide Beringer, vol. ii. p. 101; Maurel, *Indulgences*, p. 193.

of Paul V in 1608 it was declared that all Confraternities of the Blessed Sacrament canonically erected enjoy *ipso facto* all the indulgences and privileges attached to the Arch-Confraternity of St. Mary's, and in 1676 the Congregation of Indulgences, in confirming this unusual privilege, expressed the desire of seeing Confraternities of the Blessed Sacrament established in every Catholic parish in the world. This desire of the Congregation takes the form of a canonical injunction in the New Code, and the *ipso facto* affiliation becomes an *ipso jure*, so that henceforth by law every Confraternity of the Blessed Sacrament canonically erected enjoys all the privileges and indulgences attaching to the Arch-Confraternity of St. Mary's *supra Minervam*.

(b) INDULGENCES.—(1) *Plenary*: (a) On the day of admission to the Confraternity to everyone who, having confessed and received Holy Communion, shall become a member; (b) To each member who, on the Friday after the Feast of Corpus Christi, having received the Sacraments, shall assist at the procession and pray for the Pope's intentions—should a member be unable to assist at the procession, he (or she) can gain the indulgence by receiving the Sacraments and praying for the Pope's intentions; (c) On the third Sunday of each month and on Holy Thursday to all who, having received the Sacraments, shall assist at the processions, visit a church or public oratory and pray there for the Pope's intentions; (d) To all members at the hour of death who, having received the Last Sacraments, shall invoke the name of Jesus orally—or at least in their heart. (2) *Partial*: (a) An indulgence of seven years and seven quarantines on the Feast of Corpus Christi to all who receive the Sacraments and pray for the Pope's intentions; (b) The same as often as members accompany the Viaticum with or without torches when carried to the sick; (c) The same to all members who, on Holy Thursday, visit the Blessed Sacrament and pray for the Pope's intentions; (d) The same (once a day) to members who, on the afternoon of Holy Thursday, visit the Blessed Sacrament in a church or public oratory and pray there with contrite hearts for the wants of the Church; (e) An indulgence of 100 days each time a member does a work of piety or charity, for example, to assist at a Catholic funeral, to take part in a procession authorized by the Bishop, to give hospitality to the poor and needy, to visit the sick or imprisoned, to assist in the conversion of sinners or the reconciliation of enemies, to instruct the ignorant, etc. All the indulgences are applicable to the Holy Souls.

(c) PRECEDENCE.—In processions of the Blessed Sacrament this Confraternity takes precedence over every other<sup>1</sup>—even an Arch-Confraternity. In other processions its place is regulated according to the date of its establishment.

(d) ITS CANONICAL ERECTION.—The P.P. (or Adm.) having decided to establish the Confraternity, sends a petition to that effect to the Bishop. For the Bishop's guidance it will be well to state therein the

<sup>1</sup> S.C.R., January 17, 1887; Can. 701, § 2.



names of the other Confraternities (if any) already in existence in the parish. The form of the petition may be as follows:—

Rñe et Illustñe Dñe, N (nomen parochi) motus desiderio promovendi devotionem erga Beatissimum Sacramentum humiliter petit a Te (1) ut Confraternitatem utriusque sexus Christifidelium sub titulo Beatissimi Sacramenti in ecclesia S...loci...(nomen parociae) erigere ejusque statuta hisce litteris inclusa approbare digneris; (2) ut Confraternitatis praesidem constituas cum facultatibus necessariis et opportunis, praesertim substituendi sibi alium sacerdotem, si opus fuerit, ad recipiendos fideles et alia praesidis munia exercenda.

P.S.—Confraternitas illius tituli et instituti hic non existit; aliae autem Confraternitates in hac ecclesia jam erectae sunt hae. . .<sup>1</sup>

Appended to the petition should be a statement of the proposed statutes of the Confraternity for the Bishop's approval or emendation.

(e) THE STATUTES.—Each Confraternity may have its own special statutes, or better, a common scheme may be fixed upon by the Bishop for the whole diocese. In drawing up the statutes, viz., the rules, exercises and devotions, etc., the special object of the Confraternity should be kept in view, and the particular exercises to which the indulgences are attached by the Holy See. Though the rules and the order and number of devotions may differ somewhat in different places, they should agree in essentials. Beringer says <sup>2</sup>:—

Partout les membres de la confrérie se proposent d'adorer le Dieu caché de l'Euchariste, d'avoir pour lui la dévotion la plus tendre et la plus généreuse, et de la lui témoigner par toute espèce de marques extérieures d'honneur et de respect. En conséquence, ils assistent le plus souvent possible à la sainte messe et aux saluts du saint Sacrement; ils font des visites fréquentes à Notre-Seigneur au saint tabernacle, accompagnent le saint Viatique, veillent à la propreté et à l'ornementation des églises, à l'entretien de la lampe du sanctuaire,' etc.

A small contribution by the members, monthly or annual, for the upkeep of the church, the equipments for the Mass and the decoration of the Altar, or the providing of necessities connected with the administration of the Viaticum among the poor, would be in keeping with the object of the Confraternity, and to this end the Confraternity might be formed into guilds, the heads of which would constitute an Altar Society to collect the subscriptions and see to their suitable application to the purposes intended.

(f) MEMBERSHIP.—The decree establishing the Confraternity having been received from the Bishop, it is carefully placed in the archives of the parish (or of the Confraternity) as the authentic evidence to all future Directors of its canonical foundation. Prior to the reception of members it will be the business of the Director to explain fully to the congregation the meaning and objects of the Confraternity, the duties and advantages of membership, and above all the several exercises to which indulgences

<sup>1</sup> Adapted from Beringer, vol. ii. p. 22.

<sup>2</sup> Ibid. p. 102.

are attached by the Holy See. For the purpose of enrolment a special register is procured, and in it the names of the members of both sexes are formally inscribed. The names should be written in by the Director himself or by his appointed delegates,<sup>1</sup> and the register itself is carefully kept either by him or in the archives of the Confraternity.

(g) AFFILIATION.—No formality is necessary as the Confraternity once canonically erected is *ipso jure* affiliated to the Arch-Confraternity of the church of St. Mary's *supra Minervam*.

(h) OTHER SIMILAR CONFRATERNITIES.—We have said that all Confraternities of the Blessed Sacrament enjoy *ipso jure* the indulgences and privileges attaching to the Arch-Confraternity at Rome, and that not more than one of *the same title and object* should be established in the same place. On these two points the New Code is explicit, but they will possibly call for a word or two of explanation. While there would seem to be no doubt that the Confraternity of the Blessed Sacrament mentioned in the Code is the one whose head foundation is at the church *S. Mariæ supra Minervam*, it would seem to follow<sup>2</sup> also that other canonically erected associations of the Blessed Sacrament, e.g., '*The Confraternity of Perpetual Adoration of the Blessed Sacrament*,' '*The Priests' and People's Eucharistic League*' ('*Aggregatio SS. Eucharistiae*'), may avail of the indulgences and privileges attaching to the Confraternity of the Blessed Sacrament and exist in the same church or parish conjointly with it. These, we think, must be regarded also as Confraternities of the Blessed Sacrament, though their names and objects are somewhat different from those of the Arch-Confraternity of St. Mary's. For instance, the primary object of '*The People's Eucharistic League*'<sup>3</sup> would seem to be the cultivation of an internal personal devotion to the Blessed Sacrament, as is evidenced in the chief exercise undertaken by members, and the one to which all the special indulgences are attached, viz., the monthly hour of adoration before the Blessed Sacrament. On the other hand, the primary object of the Confraternity of St. Mary's *supra Minervam* is the promotion of a public external devotion, as is proved by a reference to the origin and history of the Confraternity and to the exercises to which the plenary indulgences are attached—though of course an internal personal devotion is also clearly presupposed. Whether the existence of one or other of these similar associations in a parish is to be deemed an adequate fulfilment of the prescription of the New Code, is a matter for the Bishop in each instance to decide, but it should be remembered that these associa-

<sup>1</sup> 'Inscriptio tamen hæc materialis a quocumque fieri potest, dummodo ab habente facultatem tantum christifidelis sit rite receptus.'—Ojetti, vol. i. p. 1267 (No. 1501).

<sup>2</sup> Vide *Maurel*, p. 193.

<sup>3</sup> Both the '*Priests' Eucharistic League*' and the '*People's Eucharistic League*' (or '*The Confraternity of the Holy Hour*') are already widely spread in Ireland. The former has an enrolment of 800 priests, and the latter over 800,000 of the laity. Information regarding both Confraternities may be had either from the Central Director for Ireland—Rev. John Waters, C.C., Blackrock, Co. Dublin—or in the newly-published official Irish organ of the two Leagues, *The Golden Hour*, edited from Maynooth College.



tions, in order to avail for any indulgences or privileges, need canonical erection, a separate inscription of the names of members, and a formal affiliation to their respective Arch-Confraternities.

**VESPERS DURING THE OCTAVE FOLLOWING CHRISTMAS.  
RECITATION OF THE 'KYRIE' IN MASSES OF QUARTER  
TENSE. THE 'GLORIA' IN VOTIVE MASSES OF B.V.M. ON  
SATURDAYS**

REV. DEAR SIR,—I. Of what do the Vespers consist on the Octave days after Christmas? In the *Ordo* we are told, e.g. on 2nd January: *Vesp. de seq. (Ant. PSS. fer. caet. ut in fest.)*, but the *caetera* are not to be found in the Feast because it had no 1st Vespers. Are we then to take the *Capitulum* and Hymn from the Common of Apostles, as a literal reading of the Rubrics requires; or may we, as the fitness of things seems to suggest, take them from the 2nd Vesp. of the Feast? The appropriateness of the latter course is better seen when the Vespers of Holy Innocents is being said.

II. When, as in Saturdays of Quarter Tense, the *Kyrie Eleison* is immediately followed by *Oremus* and not *Dominus Vobiscum*, is it necessary to go to the centre of the Altar or may it be recited at the Missal?

III. If a Votive Mass of the Blessed Virgin is said on a Saturday of which the Office is a Feast of semi-double rite is the *Gloria* to be said or omitted?

CIARAN.

I. The directions of the Breviary and the *Ordo* are almost identical, so that the difficulty of our correspondent applies equally to both. As regards the 2nd January, the difficulty is more apparent than real. The *Capitulum* of 1st Vespers is naturally the Proper one of the Feast given in the Breviary for Lauds and 2nd Vesp.; the Hymn of both Vespers is clearly the same as in the Common of an Apostle. On the 3rd January the only difficulty is about the Hymn, the *Capitulum* being the Proper one given for Lauds. The Hymn for the Com. of Martyrs does not suit the Feast of Holy Innocents, and personally we think the argument 'from the fitness of things' should avail in the case, as suggested by our correspondent.

II. The Rubric of the Missal admits of no exception in the case, and hence the celebrant should go to the centre of the Altar.

III. The *Gloria* should be said. A decree of the Congregation of Rites, issued 30th June, 1896, states: 'In Missis Votivis de B.M.V. quae celebrantur in Sabbatis per annum et in Sabbatis Adventus, dicatur Hymnus *Gloria in excelsis*, etiamsi officium non fiat de ea; nunquam vero dicatur extra Sabbatum nisi infra octavas ejusdem beatae Virginis.' Van der Stappen<sup>2</sup> suggests the reason: 'Quia Sabbatum ab antiquissimo tempore nonnihil habuit et habet solemnitatis in honorem ejusdem B.M. Virginis.'

M. EATON.

<sup>1</sup> Decree 3922, v. 2.

<sup>2</sup> Tom. ii. p. 217.

# DOCUMENTS

## STATEMENT OF THE STANDING COMMITTEE OF THE IRISH BISHOPS ON THE PROPOSED EDUCATION BILL FOR IRELAND

(December 9, 1919)

After Religion and its immediate requirements no interest of the people so deeply concerns their pastors as does the interest of Education. In itself and in its bearing on Religion Education holds a foremost place of importance in public affairs.

A people not suitably educated has little chance of rising to its due standard of work and worth; and there can be no proper training of the young except when Education and Religion walk hand in hand. If Education of the right kind be the most honoured support Religion can have, on the other side the history of these terrible years sheds a lurid light on the poor service Education can render to tortured humanity when men climb to power by trampling under foot the principles of Religion.

The education authority of a country needs to have knowledge of and sympathy with the wants of the people. Among the various branches of public administration it is its place to be remarkable for ensuring freedom and conciliating confidence.

Education itself, if anything in the land, should be a native plant of native culture, not an exotic to please the eye of fancy of some stranger. It should be a growth from within, not an importation from without. Its bloom and fragrance and fruit should be racy of the soil.

So it was in Ireland when our schools were famous; so it has not been in Ireland since England took upon herself to say what kind of schooling, if any, we must have.

First our schools were overthrown and it was a crime to educate.

Then we were given a system of national education that little accorded, at the start, with our principles or with the views of other religious denominations in Ireland. It has been worked, however, and moulded in the course of eighty years, by constant effort, into some semblance of the national requirements in primary education. With all our differences, it was freed from strife on the score of religion, and the main cause of complaint under it in recent years arose not from anything in Ireland, but from the inadequacy of Treasury grants to remunerate the teachers and provide the buildings that were needed. Whatever about the way appointments to it are made, the National Board is composed of Irishmen who know Ireland; and it has real power. The



same holds in their different measures for the Intermediate Board, established forty years ago, and for the Technical Instruction Board which came twenty years later.

But now, in defiance of Irish opinion, these semi-independent Irish Boards are to be swept away and replaced by a British Department at the instigation of an intolerant minority in one angle of the country, who demand that others should be taxed with them to do what they, like their poorer neighbours, should long ago have done voluntarily for themselves.

Two members of the new Department, as British Ministers, come into office and go out with the Government of the day. The third is named by the Lord Lieutenant, who is himself an appointment of Party Government at Westminster.

The permanent member, even if he desired it, is quite powerless to oppose his colleagues in administration, or the Treasury in financial adjustments. The Local Education Committees, which are directed, controlled, and manned in half their numbers, by this new Department, are required to demand the levy of various rates, for the discharge of the functions assigned to them, that open up the prospect of very heavy additional taxation throughout Ireland, apart altogether from the rate under the Medical Treatment of Children Act. The Advisory Council has no real power. All the powers and duties of the three Boards pass to the new Department, which may be manned without either an Irishman or a Catholic upon it.

Strange as it may appear to democratic feeling, in a country three-fourths Catholic, it was considered quite good enough for us by the ruling power if we were half and half on the existing Boards. Recently, two Commissions were appointed to report on certain educational matters, with a Protestant majority on each. Now we have the prospect of a Department to control Irish education with no particular educational strength, unless it be that its members, so far as they are known, are neither Catholics nor Irishmen.

The penal days were supposed to have passed. But this is the Department that is to control the books and curriculum of the schools, to regulate the positions and salaries of the teachers, and have its way, perhaps, on the managerial question. It means Irish education in foreign fetters; and at a time when the over-taxation of Ireland has risen higher than ever before, the Irish ratepayer is asked to come to the relief of the Treasury while the British Government is making this experiment on the Irish people.

Improvements in education should go on constantly. They are greatly needed in Ireland, owing mainly to the incompetence and unwillingness of the British Government to attend to them. The remuneration and pensions of Primary teachers, and even more still, the salaries and position of Intermediate teachers, need to be raised without delay to a much higher level. Though charitable organizations do much for afflicted children, public help for their training in suitable institutions would be very desirable. Similarly, while not a little is already being

done to provide an educational ladder for specially gifted children, a good deal more is required if they are all to be brought under the training that is best for them in the circumstances of the times.

Such reforms as are needed could best be carried out under the auspices of native government. But, even as things are, they could be effected in substance without any great legislative effort.

With all the talk about co-ordination the co-ordinating power conferred in the 1899 Act has not been over-worked of late ; and now the Committee, whose function it is under that Act to co-ordinate the educational administration of the different Boards, is to be scrapped on the plea, of all others, that the Committee is only advisory and therefore of little use, whereas the criticisms one used to hear, tending in the opposite direction, was that the Department of Agriculture and Technical Instruction, having a membership of three out of five, was unduly preponderant on the Committee.

As for the proper remuneration of the teachers in primary and secondary schools, which is the really urgent question, the solution becomes an easy matter if the findings of the Royal Commission on the Financial Relations are applied up to date, as in honour and honesty they ought to be, and a proper share of the over-taxation made available for the pressing wants of education in Ireland. But the needs of the teachers should not be utilized to foist on the country an utterly unsuitable education authority, as is proposed in this strange Bill.

We, therefore, deem it our imperative duty to condemn in the strongest manner the proposal which purports to set up a Department of Education for Ireland, consisting of the Chief Secretary as President, the Vice-President of the Department of Agriculture and Technical Education as Vice-President, and a permanent member, whose name the authors of the Bill have not seen fit to disclose. This proposal is obviously the pivot on which the whole Bill essentially depends. Whether one considers the personnel of the proposed Department, the enormous power over the education of the Irish people with which it is to be vested, or the means by which it is sought to blind the people to the real intentions of the authors of the Bill, it would be difficult to conceive anything more preposterous than this proposal, gravely propounded by the Government at a time when it professes to be about to impose on the people a measure of self-government which many Ministers have declared to be more than generous.

If the Government be sincere in their profession, what do they mean by forestalling their generous measure of Home Rule by the introduction of an Education Bill which, as they know in their hearts, an Irish Parliament with a particle of independence or self-respect would tear to tatters at the first opportunity ? If the subsidiary provisions of the Bill were satisfactory, as the essence of it is unsatisfactory, it would still be impossible to put up with a Bill which is so reactionary as to hand over the fortunes of Irish education to the hands of three men, of whom one is unknown and the other two utterly wanting in any qualification of an educational character. It may be said that the permanent member



would make up for the glaring deficiencies of his colleagues, but it has to be remembered that it is either the President or the Vice-President who will have to answer in Parliament for the administration of the Department, and it is only when the permanent member's views coincide with theirs that they will undertake to defend the administration. Educationalists had fondly hoped that they had seen the last of the appointments of mere political party hacks to the important post of Minister of Education; but here we are confronted with an attempt to foist two of this class into the first Department of Education which the British Parliament has seen fit to set up in Ireland.

The only Department which the vast majority of the Irish people will tolerate is one which shall be set up by its own Parliament, and over which shall preside as Minister of Education a man who shall be acknowledged as the highest educational authority in the land. Until that day comes and that man appears the people of this country will set their faces against the appointment of any Minister or combination of Ministers, who, as foreigners, are absolutely unfit to guide the intellectual destinies of Ireland.

No time should be lost by the ratepayers and public bodies of the country in trying to weigh the overwhelming burden of foreign origin which the Bill would impose upon them. It is right to recall that in October, 1916, and in April, 1919, the Bishops published words of warning to put our people on their guard against the very dangers with which they are confronted.

Signed,

✠ MICHAEL CARDINAL LOGUE, *Archbishop of Armagh  
and Primate of All Ireland.*

✠ ROBERT BROWNE, *Bishop of Cloyne, and*

✠ JOSEPH MACRORY, *Bishop of Down and Connor,  
Secretaries.*

#### ENCYCLICAL LETTER OF THE HOLY FATHER MAKING APPEAL FOR THE STARVING CHILDREN OF CENTRAL EUROPE

(November 24, 1919)

[*Synopsis* : 1. The hope of the Holy Father, that conditions of famine and misery in Central Europe resultant on the war might show signs of improvement, has not been realized by events. Populous regions are deprived of food and clothing, and a lamentable decay of health is the result—more especially among the children. ‘This, their misfortune, afflicts Our heart, all the more as they are altogether innocent.’

II. ‘Our distress has been somewhat relieved by the knowledge that good men have banded themselves in societies to “save the children.”’ The Holy Father gives his approval to this noble plan, and instances his own efforts in the interest of the little children of Belgium and the generous response which he received, more especially from the Episcopate of the United States.

III. The Bishops of the whole world are invited to carry into effect his proposal, 'and for this purpose to employ all their prestige with their flocks.' For this charitable work the season of Christmas is a most opportune time, 'and We embrace this tender age with all the more solicitude, inasmuch as it recalls the image of the Divine Infant supporting for love of men in the cave at Bethlehem the rigour of winter and the want of all things.'

IV. 'Wherefore, We direct that on next December 28, the Feast of Holy Innocents, you, Venerable Brethren, should order public prayers and gather the alms of the faithful.' In addition to money, food, medicines and clothing are also wanting.

V. The appeal is addressed chiefly to Catholics, but it should be listened to by all who have the sentiments of humanity. 'To afford an example to others, We have determined to the extent of Our means to contribute to the relief of these poor children the sum of 100,000 lire.']

## ACTA BENEDICTI PP. XV

### EPISTOLA ENCYCLICA

AD PATRIARCHAS, PRIMATES, ARCHIEPISCOPOS, EPISCOPOS ALIOSQUE  
LOCORUM ORDINARIOS PACEM ET COMMUNIONEM CUM APOSTOLICA  
SEDE HABENTES : DE STIPE COLLIGENDA PRO PUERIS EUROPAE MEDIAE  
FAME LABORANTIBUS.

### BENEDICTUS PP. XV

VENERABILES FRATRES

SALUTEM ET APOSTOLICAM BENEDICTIONEM

Paterno iam diu animo ominabamur atque sperabamus fore, ut, restincto tandem immani bello suscitatoque christianae caritatis spiritu, quae fame et inedia, Europae praesertim mediae, regiones conficiebantur, illae ad meliorem condicionem, concordii bonorum omnium opera et conatu, paulatim adducerentur. At vero expectationem Nostram eventus non omnem explevit, undique enim affertur, frequentissimos eos populos, quos diximus, tanta ciborum vestiumque laborare adhuc inopia, quantam mente effingere vix liceat. Miserrime perditur interea ac profligatur debiliorum corporum valetudo, atque in primis puerorum; quorum calamitate eo vehementius afficimur, quod ipsi non modo ignari insontesque sunt interneceve certaminis, quo terrarum orbem paene totum cruentari vidimus, sed futuri praeterea sunt novarum auctores stirpium quae nativam referent germinis infirmitatem.

Sed tamen ex hisce angoribus ac molestiis recreati aliquanto sumus cum nuntiatum Nobis est, homines recte animatos in societates coivisse, eo consilio, ut *pueros conservarent*. Egregium sane propositum, venerabiles Fratres, ut par erat, probare atque auctoritate Nostra fulcire non dubitavimus; congruebat enim cum praecipuis benignitatis officiis illi debitis aetatae quae et Christo Redemptori carissima est et minus habet ad tolerandum et resistendum facultatis. Ceterum, in simili caussa id ipsum antea egeramus; meministis enim, Nos, haud ita pridem,



pueris Belgarum, fame et egestate paene enectis, quantum in Nobis erat, opitulatos esse, eosque catholicorum caritati publice commendasse. Quorum quidem communi largitati magnam partem debetur, si tot innocentium parvulorum necessitatibus consulere et incolumitatem vitamque ipsam tueri licuit: cum enim Archiepiscopos et Episcopos Foederatarum Americae Civitatum ad tam praeclarum opus hortati essemus. continuo optatis Nostris generosus respondit plurimorum consensus. Prosperum rei successum hodie commemoramus, non tam ut laudibus ornemus homines in fastis christianae caritatis merito inscribendos, quam ut Episcopi orbis terrarum universi, voce et auctoritate Nostra impulsī, Nostrum hac in re consilium, quantum apud suos gratia valent, exsequi nitantur atque contendant.

Adventante igitur D. N. Iesu Christi Natali die, ad miserrimos pueros Europae potissimum mediae, quos premit acrius earum indigentia rerum quae ad vitam necessariae sunt, sponte provolat cogitatio Nostra; tenerimamque sobolem eo maiore complectimur sollicitudine, quo expressius refert Nobis divini Infantis imaginem, propter hominum amorem in Bethlemitico specu hiemalia frigora rerumque omnium inopiam perferentis. Hac quidem occasione nulla profecto opportunior, ut Christifidelium caritatem et miserationem, atque adeo humanitatem omnium qui de salute humani generis non desperent, pro insontibus pueris imploremus.

Itaque mandamus, venerabiles Fratres, ut, ad propositum, de quo locuti sumus, assequendum, in vestra cuiusque dioecesi, publicis supplicationibus in diem octavum ac vicesimum proximi mensis Decembris indictis, quo die sollemnia Ss. Innocentium aguntur, stipem fidelium colligendam curetis. Atque ut in hoc nobilissimo beneficentiae certamine utilitati tot puerorum aptius prospiciatur, praeter stipem, cibaria quoque et medicamenta et vestes et textilia corroganda videntur, quibus rebus populi earum regionum, prae ceteris adiumentis, indigent. Oblata vero eiusmodi dona quo demum pacto aequae dividantur et ad destinatum locum perventantur, dicere vix attinet; id enim negotii vel iis societatibus committi poterit, quas ad rem constitutas esse significavimus, vel quae alia cuique libeat ratione expediri.

Iam quibus hortationibus, ex officio universalis paternitatis Nobis divinitus credito, uti sumus, eas, quamquam ad catholicos potissimum pertinent, confidimus tamen, omnes, qui humanitatis sensus habeant, esse benigne excepturos. Ut autem exemplo reliquis praeceamus, etsi undique gentium et continenter a Nobis plurimum opis auxilii postuletur, in puerorum eorundem levamen, pro facultatibus Nostris, centum millia libellarum italicarum conferre statuimus.

In auspiciū interea secundi exitus, inque testimonium paternae benevolentiae Nostrae, vobis, venerabiles Fratres, et universo clero populoque vestro apostolicam benedictionem peramanter in Domino impertimus.

Datum Romae apud sanctum Petrum, die xxiv mensis novembris anno mcmxix, Pontificatus Nostri sexto.

APOSTOLIC LETTER OF BENEDICT XV ON THE PROPAGATION  
OF THE FAITH THROUGHOUT THE WORLD

(November 30, 1919)

## EPISTOLA APOSTOLICA

AD PATRIARCHAS, PRIMATES, ARCHIEPISCOPOS, EPISCOPOS ORBIS CATHOLICI :  
DE FIDE CATHOLICA PER ORBEM TERRARUM PROPAGANDA.

## BENEDICTUS PP. XV

VENERABILES FRATRES

SALUTEM ET APOSTOLICAM BENEDICTIONEM

Maximum illud sanctissimumque munus quod, suo iam instante ad Patrem reditu, Dominus Noster Iesus Christus discipulis demandavit, cum dixit : *Euntes in mundum universum praedicate evangelium omni creaturae*,<sup>1</sup> non erat sane Apostolorum vita terminandum, sed apud eorum successores perpetuandum usque ad consummationem saeculi, quoad scilicet futuri essent in terra homines, quos veritas liberaret. Ex quo igitur illi projecti praedicaverunt ubique verbum Dei,<sup>2</sup> ita quidem ut in omnem terram exierit sonus eorum : et in fines orbis terrae verba eorum<sup>3</sup> divini mandati memor, Ecclesia nunquam, labentibus saeculis, cessavit adhuc traditae divinitus doctrinae partaeque humano generi per Christum salutis aeternae nuntios et administros in omnes partes mittere. Illo ipso enim trium saeculorum spatio, quo ad Ecclesiam recens natam opprimendam, alia ex alia, excitata ab infidelis persecutio desaevit, cum omnia Christianorum sanguine redundarent, vox tamen Evangelii praecorum late Romani imperii fines pervagata est. Postquam vero pax et libertas publice est Ecclesiae data, multo maiores in apostolatu progressus toto orbe fecit : quo in genere praeclari vitae sanctimonia viri utilissime elaborarunt. Ex his Gregorius Illuminator Armeniam christiano nomini adiungit, Styriam Victorinus, Aethiopiam Frumentius ; tum parit Hibernos Christo Patritius, Anglos Augustinus, Columba Palladiusque Scotos, deinde illustrat Evangelii luce Hollandiam Clemens Willibrordus, primus ille Ultraiectensium Episcopus, Germaniae populos Bonifacius et Ausgarius, Slavoniae autem Cyrillus et Methodius ad catholicam Fidem traducunt. Deinceps multo latior campus hominibus apostolicis patere coepit, cum Gulielmus de Rubruquis Fidei facem Mongolis intulit, cumque beatus Gregorius X primos missionales legavit in Sinam : quos subinde Francisci Assisiensis alumni consecuti, non exiguum ibi constituerunt fidelium ecclesiam, quam haud multo post persecutionis orta tempestas dissipavit. America autem detecta, virorum apostolicorum agmen, in quibus praecipue commemorandus est Bartholomaeus Las Casas, Dominicani Ordinis decus ac lumen, miseros indigenas cum ab hominum dominatu improbo tuendos tum ex daemonum durissima servitute eripiendos suscipiunt ; intereaque Franciscus Xaverius, dignus is quidem qui Apostolis ipsis comparetur, cum in Indiis Orientalibus et in Iaponia pro Christi gloria animarumque salute mirifice desudasset, ad Sinensis limen Imperii, quo iam tendebat, emoritur, quasi discessu suo

<sup>1</sup> Marc. xvi. 15.<sup>2</sup> Ibid. 20.<sup>3</sup> Ps. xviii. 5.



aditum patefaciens novae Evangelii praedicationi in illam regionum immensitatem, in qua erat futurum ut e tot inelytis religiosorum Ordinibus et Missionalium Familiis homines Fidei propagandae studiosi, tantas per vicissitudines rerum ac temporum, apostolatum obirent. Postremo continens ea quae ultima patuit, Australia, itemque Africae interiores tractus, audacia constantiaque recentiorum explorati, christianae Fidei nuntios acceperunt; ac fere iam nulla est intra vastissimum mare Pacificum tam remota insula, quo non Missionalium nostrorum virtus actiosa pervaserit. Ex iis autem plurimi exstiterunt, qui cum fratrum salutem quaererent, ipsi, Apostolorum exemplo, ad sanctitatis fastigium pervenerint, nec pauci, qui, apostolatum martyrii laude cumulantes, Fidem profuso sanguine confirmarint.

Iam vero tot tantosque labores a nostris in Fidei propagatione exantlatos, tanta studia posita, tanta invictae fortitudinis exempla edita considerantibus, vehementer demirari licet, innumerabiles tamen esse adhuc qui in tenebris et in umbra mortis sedeant; siquidem ethnicorum habita recenter ratione, ad decies millies centena millia numerantur.

Nos igitur, tam immensae animarum multitudinis lacrimabilem sortem miserantes, cum, pro Apostolici sanctitate officii, nihil habeamus antiquius quam ut beneficia eis divinae Redemptionis communicemus, equidem plurifariam in orbe catholico increbrescere illa, Dei nimirum Spiritu commota, studia bonorum in Missionibus exteris provehendis et explicandis, libenti sane gratoque animo videmus. Itaque ad ea ipsa studia fovenda usquequaque et incitanda, ut Nostro est muneri summisque votis consentaneum, lumine auxilioque Domini magnis precibus implorato, has vobis, venerabiles Fratres, mittimus litteras quibus vos vestrosque cleros ac populos hortamur, significantes quemadmodum huic gravissimae causae prodesse possitis.

Primum omnium ad eos Nostra spectat oratio, qui, ut Episcopi aut ut Vicarii Praefective Apostolici, sacris praesunt Missionibus: ipsis enim cura omnis proxime incumbit Fidei propagandae, in iisdem praesertim spem amplificationis suae habet Ecclesia repositam. Quamquam non ignoramus quo fere sint ardore apostolatus, probeque novimus quae quantaeque iis vincendae difficultates fuerint, subeundaque discrimina, his maxime postremis annis, non modo ne de suis praesidiis stationibusque decederent, sed ut regnum Dei etiam dilatarent. Ceterum, eorum erga hanc Apostolicam Sedem observantia ac pietate perspecta, confidenter ipsis, ut filiis pater, animum Nostrum aperimus. Hoc igitur ante omnia cogitent, se suae quemque Missioni tamquam animam, ut aiunt, esse debere. Quamobrem suis sacerdotibus ceterisque sui muneris adiutoribus bono sint, verbis factisque, documento, animosque ac stimulos addant ad sequenda usque meliora. Quotquot enim quoquo pacto in hac vinea Domini operantur, experimento cognoscant oportet, planeque sentiant Missioni praesidere patrem, vigilem, diligentem, caritatis plenum, omnes et omnia summo studio complectentem, qui suorum rebus gaudeat prosperis, condolescat adversis, conatus coeptusque laudabiles secundet atque adjuvet, qui denique subditorum quaecumque sunt, ut sua propria respiciat. Omnino, prout una quaeque gubernatur, ita varia est conditio

et fortuna Missionum : quibus proinde valde perniciosum evenire potest, si quis ineptus minusve idoneus praeponatur. Plerumque enim quisquis patriam carosque propinquos deserit, christiani nominis propagandi causa, is longo saepiusque periculoso itineri se committit, alacer et promptus ad durissima quaeque toleranda, dum quam plurimas Christo animas lucretur. Qui si diligenti praeposito utitur, cuius sibi omnibus in rebus adsit prudentia et caritas, non est dubium, quin fructuosissima futura sit eius opera; sin autem, valde est timendum ne, laboribus incommodisque paulatim defatigatus, ad extremum deficiat animo desidiaque se dedat.

Praeterea qui Missioni praeest, curare in primis debet ut eam usque promoveat pleneque explicet. Etenim, cum ea regio cuius terminis sua Missio circumscribitur, omnis quam longe lateque patet, ipsius sit mandata curae, profecto omnium quotquot eadem in regione incolunt, ipsi omnino quaerenda est salus sempiterna. Quamobrem si ex ingenti multitudine aliquot millia ethnicorum ad Fidem traduxerit, non ei fas erit in hoc acquiescere. Accuret quidem, tueatur et foveat eos quos iam Iesu Christo peperit, nec sinat ex eis dilabi quemquam et intirire. Verum ne putet se fungi, ut oportet, officio, nisi ceteros etiam, quorum fere est nimio maior numerus, veritatis vitaeque christianae compotes facere pro viribus et sine ulla intermissione contendat. Itaque ut ad aures singulorum eo celerius meliusque Evangelii praedicatio perveniat, multum proderit alias subinde missionalium stationes et sedes constituere, futuras tamquam totidem centra Vicariatibus aut Praefecturis novis, in quas, cum opportunitas adfuerit, eadem Missio dividatur. Quo loco debitas tribuimus laudes Vicariis Apostolicis, quotquot sunt qui ea ratione, quam diximus, regno Dei nova semper incrementa parant : eamque in rem si domesticorum adiutorum copia sibi non suppetat, eos ex aliena religiosorum familia vel societate libentissime accipere consueverunt.

At contra, quam non probandus ille foret qui Dominici agri partem, sibi assignatam ad excolendum, tamquam suam propriam possessionem haberet, quam prorsus nollet alienis manibus attingi. Quanta vero subeunda ei esset divini iudicii severitas, praesertim si—quod saepius contingere memoravimus—christianis non ita multis circumfusa esset multitudo ethnicorum, quibus quidem erudiendis quum ipse cum suis verbi ministris non sufficeret, nollet aliorum operam advocatam adhibere. Atqui catholicae Missionis praeses, cui nihil aliud cordi sit nisi Dei gloria et salus animarum, undique ad sanctissimum munus adiutores, cum opus fuerit, conquirat, nec ii qui sint, suae an alienae familiae aut nationis, quidquam pensi habet, *dum omni modo . . . Christus annuntietur*,<sup>1</sup> nec solum adiutores, sed adiutrices etiam, idest sorores religiosas adhibet ad scholas, ad orphanotrophia, ad nosocomia, ad domus hospitales, ad cetera caritatis instituta, in quibus novit, Dei providentis nutu, incredibilem quamdam vim ad fidem latius proferendam inesse.

Ad haec bonus Missionis praefectus non se intra suos fines continet, quasi aliena ducat omnia quae foris fiunt, sed, urgente caritate Christi,

<sup>1</sup> Philip. i. 18.



cuius ad gloriam quidquid intersit, sua multum interesse putat, cum collegis finitimis amicitiam et necessitudinem studet habere. Multa enim saepe existunt communia negotia ad eandem regionem pertinentia quae, ut patet, nisi communiter, expediri non possunt. Sed praeterea magno cum Religionis emolumento Missionum praesides, quotquot poterunt, in unum statis temporibus convenient, ut consilia inter se conferant, mutuisque alloquiis confirmantur. Denique illud est quo quicumque Missionem regunt, ii suas praecipue curas oportet habeant conversas, ut sacrorum ministros de gente ipsa, in qua versantur, educent atque instituant: id quod novarum ecclesiarum spem maxime continet. Nam sacerdos indigena, utpote qui ortu ingenio, sensibus studiisque cohaereat cum suis popularibus, mirum quantum valet ad Fidem eorum mentibus insinuandam: multo enim melius, quam quisquam alius, novit quibus modis quidpiam eis persuaderi queat. Ita saepe fit ut illuc faciles aditus habeat, quo advenae sacerdoti pedem inferre non licet.

Iam vero clerum indigenam, ut speratos fructus afferat, omnino necesse est bene conformare et fingere. At nequaquam satis erit ad hoc institutio quaedam inchoata et rudis, talis videlicet ut quis ad sacerdotium ineundum evadat idoneus, sed plena debet esse perfecta que et numeris omnibus absoluta, qualis sacerdotibus cultarum gentium tradi solet. Neque enim clerus indigena eatenus parandus est, ut missionarios advenas, humilioribus ministeriis addicti, adiuvent, verum ut ipse, par divino muneri obeundo, recte possit populi sui gubernationem aliquando suscipere. Nam ut Ecclesia Dei catholica est nullamque apud gentem vel nationem extranea, ita consentaneum est ex una quaque gente sacrorum administratos existere quos divinae legis magistros viaeque ad salutem duces sequantur populares sui. Ubicumque igitur adsit quantum sat est indigenae cleri eiusque bene instituti et vocatione sua sancta digni, ibi Missionarii opus feliciter expletum ecclesiamque praeclare esse fundatam iure dixeris. Quod si forte ad eam labefaciendam procella dein persecutionis oriatur, non verendum est ne, eo fundamento iisque radicibus, non sit hostiles impetus lata.

Hoc enim vero tam grave muneris officium ut ex veritate aestimarent diligenterque exsequerentur, semper apud Missionum rectores institit Apostolica Sedes: cuius quidem in hoc genere studium clare indicant vetera et recentia huius Urbis Collegia clericis exterarum nationum instituendis, praesertim Orientali ritu. At, post hanc instantiam Pontificum, dolendum est, regiones esse, in quas abhinc pluribus saeculis catholica Fides illata sit, atque ubi tamen clerus indigenam, nisi deterioris notae, non reperias: item populos esse nonnullos, mature Evangelii luce illustratos, qui ex barbaria ad eum iam humanitatis gradum emerserint, ut in omni civilium artium varietate praestantes viros habeant, quique, cum multa iam saecula salutaris Evangelii Ecclesiaeque virtute sint affecti, tamen adhuc nec Episcopos, a quibus regerentur, nec sacerdotes, quorum disciplina civibus imperitaret, efferre potuerint. Apparet igitur mancā mendosamque esse rationem ad hunc diem alicubi usitatam in educando clero qui se ad Missiones applicet: cuius quidem incommodi removendi causa, Sacro Consilio Propagandae Fidei mandamus, ut quae variis

regionibus opportuna sint, constituat, et Seminaria, quae regionibus singulis pluribusque simul dioecesibus usui sint, vel condenda curet vel condita iam recte gubernanda, praesertim vero sollicitum sit quemadmodum novus in Vicaritatibus ceterisque Missionum locis clerus adolescat.

Iam vos alloquimur, dilectissimi Nobis Filii, quotquot estis, Dominicae vineae cultores, quorum in manibus proxime posita est, cum christianae sapientiae propagatione, tot salus animarum—Principio versetur vobis semper ante oculos excellentia magnitudoque muneris, in quod vester insumitur labor. Divinum est prorsus longeque ab humanarum rationum exiguitate remotum, quod vobis propositum est, iacentibus in mortis umbra lucem admovere et ruentibus in interitum caeli viam aperire. Intelligentes igitur vestrum unicuique dictum a Domino: *obliviscere populum tuum, et domum patris tui*,<sup>1</sup> memineritis non hominum debere vos imperium propagare, sed Christi, nec patriae quae hic est, sed patriae quae sursum, cives adiciere. Ac miserum sane foret, si qui ex Missionariis ita suae dignitatis immemores viderentur, ut potius de terrena patria quam de caelesti cogitarent, eiusque plus aequo studerent potentiam dilatare gloriamque super omnia extendere. Esset haec quidem apostolatus pestis teterrima, quae in Evangelii praecone omnes caritatis animarum nervos elideret, ipsiusque vulgo debilitaret auctoritatem. Homines enim, quantumvis barbari et immanes, satis bene intelligunt quid sibi velit, quid ab eis quaerat Missionarius. sagacissimeque odorando perspiciunt, si quid aliud, ac ipsorum spirituale bonum, expetat. Fac vero cum terrenis aliqua ex parte inservire consiliis, nec se virum undique apostolicum gerere, sed suae quoque patriae negotia procurare videri: continuo omnis eius operæ in suspicionem veniet multitudini: quae quidem facile adduci poterit in eam opinionem ut christianam religionem putet propriam cuiusdam externae nationis esse, quam religionem qui amplexus sit, subiecisse se tutelae imperioque civitatis exteræ, propriaeque civitatis ius exuisse videatur.

Magnae Nobis quidem aegritudini illa sunt de rebus Missionum commentaria, quae hisce postremis annis vulgari coepta sunt, in quibus non tam studium apparet Dei regnum dilatandi, quam propriae civitatis amplitudinem augendi: miramurque in eis nihil curari quantum haec abalienent a religione sancta animos ethnicorum. Haud ita Missionarius catholicus, hoc dignus nomine: sed is, perpetuo recogitans, se nequaquam pro sua ipsius natione, verum pro Christo legatione fungi, ita se gerat ut quilibet sine ulla dubitatione agnoscat eius ministrum religionis quae, cum omnes complectatur homines, in spiritu et veritate Deum adorantes, nulli est nationi extranea, atque *ubi non est Gentilis, et Iudaeus, circumcisio, et praeputium, Barbarus et Scythæ, servus, et liber: sed omnia, et in omnibus Christus*.<sup>2</sup> Alterum autem perdiligenter Missionario cavendum, hoc est ne alios quaestus velit facere quam animarum. Verum hac de re non attinet plura dicere. Nam quem cupiditas teneat lucri, quomodo ille divinae gloriae studebit unice, ut oportet, in eamque promovendam,

<sup>1</sup> Ps. xliv. 11.

<sup>2</sup> Colos. iii. 11.



alios revocans ad sanitatem, paratus erit sua omnia vitamque ipsam impendere ? Accedit quod ob eam causam multum ei decederet auctoritatis apud infideles, maxime si, quod proclive factu est, studium rei quaerendae in avaritiae vitium iam abiisset ; cuius quidem sordibus nihil est nec hominibus contemptibilis nec Dei regno magis indignum. Bonus igitur Evangelii propagator perstudiose in hoc etiam sequetur gentium Apostolum, cuius non solum est illa ad Timotheum hortatio : *habentes alimenta, et quibus tegamur, his contenti simus*,<sup>1</sup> quandoquidem usque eo laudem abstinentiae magni fecit ut, operosissimi muneris distentus curis, tamen labore et manu sibi victum compararet.

Sed enim Missionario, priusquam ad apostolatum accedat, adhibenda est praeparatio diligens : quamquam quispiam dicat non esse tot rerum scientiam ei necessariam qui gentibus ab humanitate remotissimis sit Christum nuntiaturus. Nam, licet controversia esse non possit quin ad salutarem animorum conversionem plus virtutum ornamenta valeant quam litterarum, tamen si qui bono tamquam commeatu doctrinae non sit instructus, multum sibi saepe sentiet deesse praesidii ad sancti ministerii fructum. Neque enim is raro et librorum copia caret et doctorum, quos consulat, consuetudine, cum tamen respondere rogantibus quidquid contra fidem obiecerint, quaestionesque dissolvere, vel perdifficiles, debeat. Ad haec, quo in se eruditorem ostendet, eo maior eius erit vulgo opinio, praesertim si in populo versabitur, apud quem in honore et in pretio sint studia doctrinae ; quo quidem in genere nimium sane dedeceret veritatis nuntios a ministris errorum superari. Itaque, dum alumni sacrorum, quos Dominus advocet, ad apostolicas expeditiones rite instituentur, omnino eos in omnibus disciplinis, tum sacris tum profanis, quae Missionariis opus sint, erudiri oportebit. Id ipsum fieri, uti par est, in scholis Pontificii Collegii Urbaniani christiano nomini propagando, volumus : in quibus etiam proprium magisterium scientiae rerum quae ad Missiones pertinent, tradendae posthac esse iubemus.

In iis vero quae Missionarius percepta et cognita habeat necesse est, praecipue est numerandus, ut apparet, sermo populi, cuius se saluti devovebit. Nec enim contentus esse debebit levi quadam huius cognitione sermonis, sed tanta ut expedite atque emendate loqui possit. Siquidem omnibus, imperitis aequae ac doctis debitor est, nec ignorat quam facile quis possit, bene loquendo, allicere ad benevolentiam animos multitudinis. Ac praesertim explicationem doctrinae christianae non catechistis committat diligens Missionarius, sed hanc provinciam, velut sibi propriam, atque adeo et potissimam sui muneris partem, ipse retineat, qui non est aliam ob causam missus a Deo, nisi ut Evangelium praedicaret. Eidem autem interdum continget ut, tamquam religionis sanctae nuntius et interpres, primoribus populi se sistere debeat, aut in coetus doctorum hominum invitetur : tum vero qua ratione is suam tuebitur dignitatem, si sermonis insecitia exprimere sua sensa prohibeatur ? —Nos igitur hoc ipsum attendimus nuper, cum, catholici nominis apud Orientales incremento et propagationi consulentes, peculiare in Urbe

<sup>1</sup> 1 Tim. vi. 8.

studiorum domicilium instituimus, ubi qui apostolatam in iis regionibus obituri essent, gnari scientesque linguarum morumque Orientis, ceterisque praesidiis instructissimi evaderent. Quod quidem Institutum cum magnae opportunitatis Nobis videatur, hac utimur occasione ad exhortandos, quotquot sunt, moderatores religiosarum familiarum, quibus Orientales Missiones sunt demandatae, ut suos alumnos, iisdem Missionibus destinatos, ea disciplina excolendos expoliendosque curent.

At, qui se ad apostolicum munus recte accingit, unum necesse est ante omnia sibi comparet, utpote maximi momenti ac ponderis, videlicet, quod supra memoravimus, vitae sanctimoniam. Etenim homo Dei sit oportet, qui Deum praedicat; oderit peccatum, qui odisse peccatum iubet. Maxime apud infideles, qui sensu potius, quam rationibus, ducuntur, multo plus proficitur fidem exemplis praedicando quam verbis. Esto igitur Missionarius omnibus mentis animique laudibus praeditus, omnibus doctrinis excultus, omni humanitate politus: nisi haec cum morum innocentia cohaereant, parum aut nihil efficacitatis habebunt ad salutem populorum, imo plurimum et ipsi et ceteris obesse possunt.

Sit ille igitur in exemplum humilis, obediens, castus, sit praecepue pius, sanctaeque orationi ac perpetuae cum Deo coniunctioni deditus, sedulo apud eum causam agens animarum. Quanto enim fuerit Deo coniunctior, tanto plus ei divinae gratiae et adiumenti impertietur. Audiat autem Apostolum sic hortantem: *Induite vos ergo sicut electi Dei, sancti, et dilecti, viscera misericordiae, benignitatem, humilitatem, modestiam, patientiam.*<sup>1</sup> Harum ope virtutum patens planusque in animos hominum est veritati aditus, quibusvis submotis impediementis; neque enim ulla est adeo contumax voluntas quae eis facile obsistat. Ergo Missionarius, qui quidem ad similitudinem Iesu Domini flagret caritate, cum vel perditissimos ethnicorum numeret inter filios Dei, utpote eodem divini sanguinis pretio redemptos, non eorum vel inhumanitate irritatur, vel morum perversitate percellitur, non eos despicit aut fastidit, non acerbe atque dure tractat, verum omnibus christianae benignitatis officiis studet allicere, ut ad complexum Christi, Pastoris Boni, aliquando perducatur. In quo illud Scripturae Sanctae meditari consuevit: *O quam bonus, et suavis est, Domine, spiritus tuus in omnibus! Ideoque eos, qui exerrant, partibus corripis: et de quibus peccant, admones et alloqueris, ut relictis malitia, credant in te, Domine. . . . Tu autem dominator virtutis cum tranquillitate iudicas, et cum magna reverentia disponis nos.*<sup>2</sup> Quid vero est aut difficultatis aut molestiae aut discriminis, quod talem Iesu Christi legatum ab incepto remoretur? Nihil sane: nam, gratissimus in Deum qui se tam celso muneri destinavit, omnia quaecumque inciderint adversa et aspera ad tolerandum, labores, contumelias, inopiam, famem, mortem ipsam quamvis crudelem, magno complectitur animo, dum vel unam ex infernorum faucibus animam eripiat.

Ita affectus animatusque, Christi Domini et Apostolorum exemplo, ad suum munus fungendum fidenter Missionarius aggrediatur: sed omnem fiduciae suae rationem in Deo collocabit. Divinum est hoc totum,

<sup>1</sup> Colos. iii. 12.

<sup>2</sup> Sap. xii. 1, 2, 18.



ut diximus, christianam propagare sapientiam, cum solius Dei sit penetrare in animos, ut et mentes splendore veritatis illustret, et voluntates igniculis virtutum inflamet, et idoneas vires homini, ad sequendum efficiendumque id quod verum bonumque cognoverit, adiciat. Quare, nisi ministro elaboranti Dominus adfuerit, is frustra contendet. Idem nihilominus tamen strenue pergat pro instituto contendere, auxilio nimirum fretus divinae gratiae, quae nunquam, eam roganti, defutura est.—Quo loco praetereundae silentio non sunt mulieres, quae iam inde a rei christianae primordiis egregiam operam studiumque Evangelii praeconibus navare consueverunt. Ac dignae sunt quae praecipua cum laude hic commemorentur virgines illae Deo devotae, quae in sacris Missionibus frequentes versantur, puerorum educationi, pietatisque et beneficentiae multiplicibus institutis addictae; volumusque haec suorum commendatio meritorum illis ad bene de Ecclesia sancta merendum animos addat et alacritatem. Illae autem pro certo habeant tanto suam operam fore utiliore, quanto magis suae ipsarum perfectioni spiritus studuerint.

Affari iam libet universos omnes, quicumque, magno Dei miserentis munere, verae sunt Fidei compotes et innumerabilia, quae inde manant, beneficia participant. Ac primum attendant oportet quam sancta teneantur lege sacris ad infideles Missionibus opitulandi. Etenim *mandavit* (Deus) *unicuique de proximo suo*; <sup>1</sup> quod mandatum eo quidem urget gravius, quo proximum premit maior necessitas. At vero quod genus hominum magis fraternae opis indiget, quam infidelium, qui, cum Deum ignorent, caecis effrenatisque cupiditatibus devincti, pessimam omnium, sub diabolo, serviunt servitutem? Quotquot igitur his illuminandis opem pro facultate attulerint, praesertim Missionalium operam adiuvando, ii et maxima in re officii partes expleverint et grates Deo acceptissimum in modum de Fidei beneficio persolverint.

Iamvero triplicis generis sunt adiumenta quae Missionibus afferri possunt, quaeque Missionales ipsi rogare non desinunt. Primum est, quod quidem cuique praestare licet, ut propitius eis Deus invocetur. Semel iterumque iam diximus inanem atque irritum, a Missionariis insumptum, laborem fore, nisi eum divina gratia fecundarit, Paulo testante qui ait: *Ego plantavi, Apollo rigavit, sed Deus incrementum dedit.*<sup>2</sup> Huius autem gratiae impetrandae una via est eaque in perseverantia humilium precum consistit, nam *de omnio re, quamcumque petierint, fiet illis a Patre meo*<sup>3</sup> dicit Dominus. Quae preces, si unquam alias, sane effectum carere non possunt in hac causa, qua nulla praestantior, nulla gratior Deo est. Quemadmodum igitur dum Israelitae cum Amalec praelibantur, interea Moyses in summo colle divinam eis opem sublati manibus impetrabat, ita Evangelii propagatoribus laboriose in vinea Domini se exercentibus omnes debent Christifideles sanctarum precationum ope suffragari. Cui quidem officio rite exsequendo cum proprie institutus sit *Apostolatus precationis* qui dicitur, eum hic vehementer bonorum universitati

commendamus, optantes ut nemo se ab eius consortione absteineat, sed velint, quotquot sunt, apostolici laboris si non re ac studio esse participes.

Secundo loco, Missionalium paucitati medendum est; quae cum antea non exigua esset, summa iam facta est confecto bello, ut multae Dominici agri partes a cultoribus vacent. In quo vestram praecipue, venerabiles Fratres, advocatam desideramus diligentiam; vosque rem facturi estis vestro religionis amore in primis dignam, si et in clero et in Seminario dioecesano apostolatus semina, quae quis forte sibi inesse ostenderit, studiose foveatis. Nec vos ulla species recti decipiat aut humana aliqua ratio permoveat, quasi, quod exteris Missionibus permiseritis, id de utilitate dioecesis vestrae detraxisse videamini. In locum enim unius quem dimiseritis foras, plures domi sacerdotes perutiles Deus vobis suscitabit. Qui vero Ordinibus Institutisve religiosorum praesunt exteras colentibus Missiones, oramus et obsecramus, ne ad tantum opus nisi sodalium lectissimos destinent, eos scilicet qui et vitae innocentia et devotionis ardore et animarum studio praestare videantur. Idem autem cum Missionarios suos cognoverint in aliquo populo ab impura superstitione ad christianam sapientiam traducendo feliciter esse versatos, ecclesiamque ibi satis firme fundasse, eos, ut electos milites Christi, ad aliam gentem ex diaboli manibus eripiendam transferant, et quicquid ab illis iam quaesitum Christo sit, aliis, cultura promovendum in melius, haud inviti relinquunt. Quo pacto, opimam facientes tamquam messem animarum, uberrima quoque suis Familiis divinae bonitatis munera acquirunt.

Denique opes et eae non ita tenues requiruntur ad Missiones tuendas, maxime cum earum necessitates ex bello in immensum creverint, tot scholis at nosocomiis et domibus hospitalibus et gratuitis rerum diribitoriis aliisque sublati exstinctis. Hic enim vero bonos omnes appellamus, ut liberales pro facultatibus existant. Nam *Qui habuerit substantiam huius mundi, et viderit fratrem suum necessitatem habere, et clauiserit viscera sua ab eo; quomodo charitas Dei manet in eo?*<sup>1</sup> Ita quidem Ioannes Apostolus, de illis loquens qui rerum externarum necessitate premantur. At quanto est sanctius observanda caritatis lex in hac causa, cum agitur non solum ut inediae et inopiae ceterisque miseriis infinitae multitudinis subveniatur, sed etiam et in primis ut tam ingens animarum numerus e superbo Satanae dominatu in filiorum Dei libertatem vindicetur? Quare illa praesertim quae in sacrarum Missionum commodum sunt instituta, adiuvari catholicorum liberalitate cupimus. Primum est Opus quod appellatur a *Propagatione Fidei*, pluries iam a decessoribus Nostris dilaudatum; ex quo ut vel maior fructuum optimorum ubertas existat in posterum, volumus sacrum Consilium christiano nomini propagando diligentissime curet. Maxime enim ex eo copiae suppetant oportet unde Missiones tum quae iam sunt conditae tum quae posthac condendae erunt, sustententur: confidimus autem non permissurum catholicum orbem ut, cum alii ad errores diffundendos abundant affluantque opibus, nostri verum disseminantes cum inopia luctentur. Alterum, quod etiam vehementer



omnibus commendamus, est *Sanctae Infantiae* Opus, cuius est vigilare ut infidelium parvulis decedentibus baptismus ministretur: idque eo est commendalius, quia pueri quoque nostri ipsum participare possunt, itaque, mature intelligentes quanti sit Fidei donum, suam operam ad illud cum aliis communicandum discunt conferre. Nec vero praetermittendum est *Opus Sancti Petri*, ut aiunt, quo educationi atque institutioni cleri indigenae Missionum consulitur.—Ad haec diligenter observari volumus quod est a decessore Nostro fel. rec. Leone XIII praescriptum, ut in festo Epiphaniae Domini in omnibus orbis terrarum sacris aedibus stipes 'pro redimendis captivis ex Africa' corrogentur, et quantum collectum erit pecuniae, ad S. Consilium Fidei Propagandae mittatur.

Sed quo certius uberiusque optata Nostra eveniant, debetis omnino, venerabiles Fratres, vestri cleri disciplinam peculiari quodam modo ad Missiones dirigere. Vulgo enim fideles ad opitulandum hominibus apostolicis inclinant et propendent; vosque hac animorum propensione sapienter utamini, ut quam maximo Missionibus sit emolumento. Scitote igitur Nos cupere, in omnibus orbis catholici dioecesium eam quam vocant *Missionalem cleri consociationem*, institui, quae in dicione sit Sacri Consilii christiano nomini propagando, cui quidem Sacro Consilio omnem iam huius rei fecimus facultatem. Orta ea nuper in Italia, brevi in alias regiones diffusa est; Nostroque studio cum floreat, multis iam est a Nobis pontificalis indulgentiae muneribus ornata. Et merito; nam eius instituto clericorum actio optime ordinatur, cum ad iniiciendam christianis curam de tot ethnicorum salute, tum ad opera ea cuiusvis generis provehenda, quae in Missionum utilitatem Apostolica haec Sedes iam probavit.

Haec, venerabiles Fratres, de fidei catholicae toto orbe propagatione scribere ad vos habuimus. Iam vero, si suo quisque officio, uti par est, omnes satisfecerint, Missionarii foris, Christifideles domi, bona nitimur spe, futurum ut, ex maximis belli vulneribus damnisque refectae, celeriter sacrae Missiones revirescant. Atque hic, tamquam hortante Nos, ut olim Petrum, ea Domini voce: *duc in altum*,<sup>1</sup> quanto urgemur paternae caritatis ardore, ut innumerabiles, qui nunc sunt, homines ad ipsius complexum adducamus. Etenim aliter vigeatque semper Dei Spiritu Ecclesia; nec suo possunt effectu carere tot hominum apostolicorum studia, qui ad eam amplificandam laboraverunt adhuc et laborant. Horum autem exemplis excitati, existent subinde plurimi, qui, bonorum et pietate et munificentia suffragante, laetissimam parient Christo copiam animarum.

Faveat communibus votis Magna Dei Parens, Regina Apostolorum, Evangelii praeconibus effusionem Sancti Spiritus conciliando; cuius auspiciem et benevolentiae Nostrae testem, vobis, venerabiles Fratres, et clero populoque vestro apostolicam benedictionem peramanter impertimus.

Datum Romae apud sanctum Petrum die xxx novembris mcmxix. Pontificatus Nostri anno sexto.

BENEDICTUS PP. XV.

<sup>1</sup> Luc. v. 4.

DOUBT REGARDING THE EXTENT OF A BISHOP'S POWER TO  
ALIENATE THE VOTIVE OFFERINGS OF THE FAITHFUL  
TO A PARTICULAR CHURCH

(July 12, 1919)

SACRA CONGREGATIO CONCILII

DIOECESIS N.

DONARIORUM VOTIVORUM

Die 12 iulii 1919

**SPECIES FACTI.**—Litteris, ad hanc S. Congregationem reverenter datis, exponebat Episcopus N., sese, ut amplificaretur quaedam ecclesia civitatis episcopalis, de consulto Consilii dioecessani administrationis, ad mentem § 2, can. 1532, permisisse alienationem nonnullorum donariorum votivorum, quae sacram iconem in eadem ecclesia praecipua veneratione fidelium honoratam exornabant, usque ad summam libellarum mille erogandam in causam expressam. Nunc vero, quum praefata summa, licet iuncta aliis conspicuis fidelium oblationibus, adhuc inferior circiter sex millibus libellarum solvendis expensis iam factis existeret, quumque ob varias quas singulatim exponebat causas, inopportunist evasisset administrativum Consilium et Capitulum cathedrale interpellare, licentiam Apostolicae Sedis laudatus Episcopus implorabat, qua fretus valeret alia donaria votiva ex auro, argento et gemmis, item sacram eandem iconem exornantia, alienare, et ex pecunia inde percipienda expensas praefatas exaequare. Attenta urgente in casu necessitate, sacra Congregatio, auctoritate SS<sup>mi</sup> Domini Nostri, petitam licentiam benigne impertita est Episcopo Oratori, *addita sanatione praecedentis alienationis et erogationis*, et sub ea clausula: ‘dummodo supersit congruus numerus donariorum ad ornatum sacrae iconis, et adhibeantur opportuna cautela ne scandalum aut admiratio in populo exoriat.’ Super quo rescripto idem Episcopus, grates ex animo Sacrae Congregationi reddens, animadvertibat tamen sibi inexpectatam prorsus accidisse adiectam sanationem praecedentis alienationis et erogationis: ne autem sibi in posterum super his negotiis errare contingeret, E<sup>ss</sup>mos Patres humillime rogabat ut, si vellent, sequentia dubia dirimerent:

I. *An donaria votiva in ordine ad alienationem recensenda sint inter res pretiosas de quibus in can. 1532, § 1, n. 1.*

II. *Quinam valor dici possit notabilis in rebus pretiosis ita ut earum alienatio sit Ordinariis locorum vetita.*

**ANIMADVERSIONES.**—Quoad primum dubium, certum est in can. 1532, § 1 n. 1, reservari Apostolicae Sedi concessionem licentiae alienandi *res pretiosas*. Verum haec loquutio non videtur tam late recipienda ut complectatur quidquid ex metallo pretioso confectum sit; sed immo est profecto interpretanda ad normam can. 1497, § 2, ubi explicite ponitur: ‘dicuntur pretiosa (bona) quibus *notabilis* valor sit, artis vel historiae vel materiae causa.’ Itaque in tantum alienatio rerum pretiosarum videtur Ordinariis vetita, in quantum res istae praeterea *notabilem* valorem aestimationis attingunt, de quo agitur in secundo dubio, totius



causae summam continenti. Ad quod solvendum, vix praemittere oportet in determinatione *notabilis* valoris non parum discrepare ad invicem doctorum sententias, adeo ut, dum nonnulli non censent notabilem valorem rerum etiam pretiosarum quae triginta millium libellarum non attingant, alii e contrario, quum agitur de rebus pretiosis, artis vel historiae vel materiae causa, notabilem valorem arbitrantur attingere quidquid in *aliquo* pretio est. Quae utraque extrema sententia minime videtur recipienda: alteram enim excludit ipse can. 1532, dum res pretiosas distincta enumeratione separat a rebus quae valorem triginta libellarum millia excedunt; ceterum iam ante Codicem classici scriptores, v.g. Pirhing, in lib. III, tit. XIII, n. 12, negabant posse, sine beneplacito S. Sedis, alienari 'vasa aurea et argentea, gemmas et vestes pretiosas quae servando asservari possint, et mobilia, qualis grex, unde utilitas et fructus diuturnus percipi potest.' Cfr. Reiffenstuel, cod. n. 12 et 16. Alteram quoque in contrarium excessum declinantem sententiam, excludit Codex, can. 1497, § 2, ubi res pretiosa etiam ratione materiae non dicitur, nisi simul sit, non alicuius dumtaxat, sed *notabilis* valoris; pariterque ante Codicem valor iste notabilis exigebatur, ut alienationis licentia S. Sedis reservaretur: nec est profecto praesumendum quod legislator, dum pro bonis mobilibus etiam frugiferis ius antecedens adeo temperavit ut tantummodo pro bonis triginta millium valorem excedentibus beneplacitum apostolicum requireret, simul voluerit pro mobilibus tantum pretiosis pristinum augere rigorem.

His extremis sententiis exclusis, iam non superest nisi pressius determinare valorem notabilem qui, simul cum pretiositate rei, inalienabilitatem pariat. Porro idem Reiffenstuel, l. c., n. 14, post allata verba Pirhingii monebat: *Non videtur tamen ex hoc titulo prohibitum quin Praelatus possit aliqua pocula argentea minus utilia absque aliis sollemnitatibus iuris alienare*; ac magis perspicue card. D'Annibale (*Summula*, t. 3, n. 77, nota 6): *Porro mobilia pretiosa accipimus vasa aurea vel argentea, gemmas, etc., et quae vel antiquitate praestant, vel artificio, dummodo valeant saltem 25 aureis de Camera (lib. 235)*. Perdoctus Eñus vir sic referebat authenticam aestimationem Romanae Curiae saec. XVII; probati vero scriptores nostrae aetatis monent attendi posse ad mutatum valorem pecuniae, quam duplo vel triplo minorem aestimabat Wernz (*Ius decretalium*, t. 3, n. 160, nota 140). Quare valor iste tutissime ad 750 lib. in Curia hodie definiri potest. Nec desunt, qui notabilem valorem infra 1000 lib. esse hodie negent; immo ipse can. 1532, § 2, dum alienationem distinguit rerum quae 1000 lib. attingunt et quae 1000 lib. superant, hanc aestimationem, quae simplicitate quoque commendatur, ratam habere videtur.

Quibus positis, sequeretur etiam res pretiosas quae mille libellarum valorem non excedunt, alienari ab Ordinariis posse, servatis sollemnitatibus praescriptis in can. 1530-1532, ex quibus potissimum attendenda est, ad casum nostrum, clausula can. 1531, § 3: '*Pecunia ex alienatione percepta, caute, tuto et utiliter in commodum Ecclesiae collocetur*'; i.e. pecunia retracta non statim erogari valet in usus etiam pios et necessarios, sed immo conservanda est *ad fructum*: ut ergo erogetur

seu consumatur, licet ad amplificandam ecclesiam, ut in casu factum est, necessaria est semper Apostolicae Sedis licentia, seu dispensatio super obligatione hac, quam data lex in laudato canone perspicue et explicitè, nullaque concessa exceptione, imponit.

Verumtamen, etiam solutis, ut in praecedentibus solvuntur, dubiis propositis ab Episcopo N., adhuc non videtur satis factum esse quaestioni quae proponebatur circa alienationem donariorum votivorum. Scilicet, etiamsi concedendum videatur donaria votiva in ordine ad alienationem, infra valorem aestimationis mille libellarum contenta, non cadere sub vetitum can. 1532, § 1, n. 1, nondum constaret utrum eorum alienatio permittenda Episcopis sit, an Apostolicae Sedis beneplacito reservanda. Ita in can. 1281, § 1, nulla facta distinctione inter pretiosas aut non pretiosas, excluditur prorsus alienatio insignium reliquiarum *aut imaginum quae in aliqua ecclesia magna populi veneratione honorantur*, ideoque etiamsi earum valor aestimationis non sit notabilis in sensu mox exposito. Praeter causam itaque pretiositatis etiam causa *cultus, devotionis aut pietatis* ob stare potest, quominus huiusmodi donariorum valida sit alienatio: aliis verbis, ut hodie dici solet, non solum valor aestimationis, sed etiam *affectionis* attendendus est. Et revera, in casu donariorum votivorum, haec aut similia intercedere rationum momenta, non difficile suadetur. Nam sicut procul dubio obiecti votivi donatio est actus religionis, qui quodammodo sacrificio assimilari potest, ita, ex intentione donantis, nexu indissolubili donarium mancipatur cultui sacrae iconis cui donatur, et quodammodo extra omne commercium humanum ponitur. Interest igitur bono publico, seu integritati et profectui sacri cultus, fidelis conservatio donariorum in eo statu iisque terminis in quibus a voluntate donantis ponuntur, adeo ut non sit fortasse nimium quod dicitur, ecclesiam eiusque rectores non tam in proprietate quam potius in *custodia* donaria ipsa habere, de quibus igitur nullo modo in alium usum disponere possunt. Aliis verbis et planius: observandae profecto sunt condiciones a donante fortasse donationi appositae: atqui ex natura rei et negotii in casu praesumi debet omnino donationem factam esse sub ea conditione ut res sit inalienabilis. Ergo, si semper, in alienandis ipsis rebus ecclesiasticis (quibus ceterum non facile donaria ipsa accensentur); cautum est ut obtineatur 'eorum consensus quorum interest' (cfr. can. 1532, § 2, 3), id multo magis in alienatione donariorum difficultatem facessere videtur, quum iste consensus in alienationem non facile praesupponi possit, imo, aliquo sensu, impossibilis factus sit vel ex parte donantis, qui proprietate rei donatae sese omnino expoliavit et quidem non in favorem humanae personae, sed potius in obsequium personae beatæ aut divinae, cui rem donatam, interposita voti religione, sacravit. Prout igitur 'ultimarum voluntatum . . . commutatio, quae fieri ex iusta tantum et necessaria causa debent, Sedi Apostolicae reservantur' (can. 1517, § 1), quum eius solius sit necessarium interpretari aut supplere interesse habentium consensum, ita etiam voluntatis, quae in ordine ad obiecta ex voto donata ultima iure censetur, interpretatio, vel potius commutatio uni Sedi Apostolicae, cuius est solvere ligata in caelo et in terra, iure reservatur.



Hiscæ rationum momentis adicitur etiam positivum argumentum quod petitur ex stylo et observantia perpetua S. Congregationis, quippe quæ semper sibi reservavit, et quidem sub religiosissimis clausulis, concedere licentiam huiusmodi alienationum peragendi, quam imo veniam nunquam per modum facultatis, sed semper in modum indulti in singulis particularibus casibus, causa necessitatis apprime cognita, concessit. Nec est profecto præsumendum datum Codicem huiusmodi observantiam, rationibus boni publici evidenter subnixam, in posterum tacite abolitam voluisse.

RESOLUTIO.—Porro in plenariis comitiis in Palatio Apostolico Vaticano habitis die 12 iulii 1919, Eñi S. C. Concilii Patres, ad petitionem Episcopi N. supra relatam, reformatis dubiis in hanc formulam: *An donaria votiva alienari possint absque beneplacito Apostolicæ Sedis*: respondendum censuerunt: *Negative*.

Quam resolutionem Sanctissimus Dominus Noster Benedictus Div. Prov. Pp. XV, in audientia diei subsequentis, referente infrascripto S. Congregationis Secretario, approbare et confirmare dignatus est.

I. MORI, *Secretarius*.

**APOSTOLIC LETTER TO MOST REV. DR. PATRICK J. O'CONNOR,  
BISHOP OF ARMIDALE, OFFERING CONGRATULATIONS  
ON THE ERECTION AND CONSECRATION OF A NEW  
CATHEDRAL**

(August 29, 1919)

**EPISTOLAE**

AD PATRITIUM IOSEPHUM O'CONNOR, EPISCOPUM ARMIDALENSEM GRATULATIONIS CAUSA OB TEMPLUM CATHEDRALE A FUNDAMENTIS EXCITATUM ET PROXIME CONSECRANDUM.

**BENEDICTUS PP. XV**

Venerabilis frater, salutem et apostolicam benedictionem. Inde ab initio episcopatu, quem quintum decimum iam annum geris, pastorale tam recte videris intellexisse munus, ut dicere pene liceat, te ne unum quidem diem assiduo ex labore conquievisse. De industria enim in agendo tua plura antehac allata sunt, hodieque plura ad Nos afferuntur: potissimum vero Nos delectavit nosse, auspicato consecraturum te fore die XIV mensis decembris cathedrale templum, quod a solo excitandum magnificeque perficiendum multo negotio curavisti, et fundamenta eo ipso die iacturum piæ domus, in qua liberi parentibus orbi, alendi riteque instituendi, recipiantur. Vehementer equidem et rem feliciter actam et ineundum proxime insigne caritatis opus tibi, venerabilis frater, gratulamur; idque eo libentius facimus, quod animi tui vis atque virtus sperare utique iubet, futurum, ut, quaecumque in posterum necessitas vel utilitas cleri populique tui postulare videatur, ea, quemadmodum consuevisti, impiger adgrediaris. Actuosæ profecto operæ tuæ mercedem, eamque magnam perpetuoque mansuram, Ille tibi aliquando dabit, qui nulla patitur recte facta suo præmio carere ac remuneratione; verum hoc interea tibi, pastores inter sollicitudines,

animos addere solaciumque afferre merito debet, quod, una cum amplissima episcoporum regionis istius existimatione gregisque tui amore, peculiarem benevolentiam Nostram tibi conciliasti. Quibus quidem popularibus tuis significes volumus, Nos non modo omnibus eos laudibus prosequi, cum, etsi largo censu non sunt, iterum atque iterum Antistitis sui invitationibus egregia liberalitate responderint, sed etiam plurimum confidere, ita eos esse in officio perseveraturos, ut, posthac quoque, pro facultatibus suis, dent tibi aditum ad maiora in dioecesis istius bonum efficienda. Caelestium interea donorum conciliatricem paternaeque caritatis Nostrae testem, tibi, venerabilis frater, et clero populoque tuo, apostolicam benedictionem amantissime in Domino impertimus.

Datum Romae apud sanctum Petrum, die XXIX mensis augusti anno MCMXIX, Pontificatus Nostri quinto.

BENEDICTUS PP. XV

#### APOSTOLIC LETTER TO THE BISHOPS OF SWITZERLAND ASSEMBLED AT SION

(September 8, 1919)

AD UNIVERSOS HELVETIAE EPISCOPOS, QUI SEDUNUM CONVENERANT

Venerabiles fratres, salutem et apostolicam benedictionem. Egregiam pietatem studiumque vestrum rursus elucere vidimus ex eis litteris quas nuper ex annuo conventu, Seduni habito, ad Nos communiter misistis. Intelleximus enim actuose vos ibidem necessitatibus gregis vestri, collatis consiliis, prospexisse, ac praeterea, cum feliciter dudum Helvetia, digladiantibus undique inter se populis, integra incolumisque ab immani belli calamitate servata esset, sollemnem propitio Deo gratiarum actionem de insigni beneficio in tertium diem dominicum mensis huius septembris indixisse. Propositum sane laudabile suscepistis: id enim magis magisque divinam patriae vestrae opem conciliabit. Nos vero qui eam peculiari quodam amore prosequimur, libentes has publicas supplicationes praeundo participamus: eo libentius quod, bello saeviente, ita pacis dono Helvetia usa est, ut multiplicibus caritatis operibus mirifice nobilitata sit. Precamur ut non solum exercituum conflictus sed etiam multitudinum motus ubique, istie praesertim, tandem conquiescant. Hanc in rem plurimum sane conferent memorabiles illae encyclicae litterae *Rerum novarum*; quarum quidem opportunitatem ipsi nunc rerum eventus confirmant. Sed illud in primis curabitis, venerabiles fratres, ut ad Evangelii normam vitaeque christianae sanctitudinem populus revocetur: inde enim sine dubio secuturum est ut sensim, iustitia et caritate ducibus, in omnes civium ordines optata refluat sanitas, ad prosperitatem reipublicae et felicioris aevi auspiciis. Caelestium autem munerum conciliatrix et praecipuae benevolentiae Nostrae testis apostolica sit benedictio, quam vobis, venerabiles fratres, cunctaeque Helvetiorum genti amantissime impertimus.

Datum Romae apud sanctum Petrum, in festo Nativitatis Beatae Mariae Virginis MCMXIX, Pontificatus Nostri anno sexto.

BENEDICTUS PP. XV



DOUBT REGARDING THE PROFESSION OF LAY-RELIGIOUS  
IN REGULAR ORDERS

(October 6, 1919)

SACRA CONGREGATIO DE RELIGIOSIS

CIRCA PROFESSIONEM RELIGIOSORUM LAICORUM IN ORDINIBUS REGULARIBUS

Huic S. Congregationi de Religiosis propositum fuit dubium: 'An Religiosi laici seu conversi in Ordinibus Regularibus, qui iam emisissent vota simplicia ante diem 19 maii 1918, ad normam Decreti *Sacrosancta Dei Ecclesia* diei 1 ianuarii 1911, debeant emitte vota sollemnia iuxta praescripta dicti Decreti, scilicet absoluto sexennio votorum simplicium et expleto trigesimo aetatis anno, vel potius ad normam Canonum 573 et 574 Codicis Iuris Canonici, idest expleto triennio votorum simplicium et vigesimo primo aetatis anno completo.'

Sacra eadem Congregatio, re mature perpensa, respondendum censuit prout respondet:

*Negative* ad primam partem, *affirmative* ad secundam.

Et Sanctissimus Dominus Noster Benedictus Pp. XV, in audientia diei 6 octobris 1919, infrascripto Secretario benigne concessa, praefatam responsionem adprobare dignatus est. Contrariis quibuscumque non obstantibus.

Datum Romae, die 6 octobris 1919.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

L. ✠ S.

## REVIEWS AND NOTES

SUPPLEMENTUM CONTINENS EA, QUIBUS EX CODICE JURIS CANONICI SUMMA THEOLOGIAE MORALIS auctore H. Noldin exarata vel mutatur vel explicatur. Edidit Albertus Schmitt, S.S. Second edition, 1918. New York and Cincinnati: F. Pustet Co. London: B. Herder, 68 Great Russell Street, W.C.

FATHER NOLDIN'S *Moral Theology* has an almost world-wide popularity. The clearness and simplicity of its style, and its practical treatment, especially of modern problems, have ever made it a favourite, especially with those for whom the cares of the missionary life have precluded a study of more pretentious and more abstruse treatises. Like all the pre-Code treatises on moral theology, it is now antiquated on many points, and the purpose of the present publication is to bring it into line with the new legislation. The Supplement, following the order of the older work, indicates under the corresponding numbers the various points which have been confirmed or modified by the Code; so that the student of Father Noldin's handbook, who has this Supplement before him, can see at a glance where the older discipline has been affected by the new legislation. It will be seen, therefore, that this little volume is not an independent commentary on the Code—as a matter of fact the author rarely ventures a comment at all; it is designed entirely to facilitate the study of the handbook under the new conditions. There can be no doubt that it serves this purpose very well; though, of course, it would be much desirable to have the changes incorporated in the work itself. Until this consummation can be attained, Father Noldin's admirers will find this Supplement very useful.

MEDITATIONS ON THE PSALMS. By Rev. Ronald A. Knox. London: Longmans, Green & Co.

FATHER KNOX has been induced to put together some of his own reflections on the psalms, and thus he has provided us with 52 short, beautiful meditations. The psalms and meditations are chosen and arranged with a view to leading the soul through the three stages of the spiritual life. To assist reference, psalm and meditation are printed side by side, on opposite pages. At the end of each meditation, the Acts and Colloquy to be made are mentioned. We subscribe to Father Bowden's statement that these meditations of Father Knox tend to form solid virtues rather than sentimental affections.



THE ARMOUR OF GOD : A Prayer Book for Knights of the Blessed Sacrament. London : Burns & Oates.

THIS is a prayer book with many novel features. Among its contents one will find a full translation of the ancient ecclesiastical ceremony of consecrating a new knight. Instructions, specially directed to Knights of the Blessed Sacrament, are given, Morning Prayers, Evening Prayers, Mass, Confession, and other religious exercises. There are special prayers for various virtues befitting a K.B.S. ; special prayers which persons in various employments may use ; and special prayers to patron saints. For the Stations of the Cross and the Rosary there are new reflections and prayers. It is inaccurate to say that in going round the Stations of the Cross ' I must reflect upon the *subject of each Station* ' (p. 186).

JESUS CHRIST : Summaries of Sermons and Lectures delivered in Bombay. By Rev. A. Goodier, S.J. London : Herder.

THE title-page reminds us to offer to the author our congratulations—perhaps he would request rather our sympathy—on his recent elevation to the dignity of Archbishop of Bombay. Part I. of the volume before us deals with the claims of Christ to be the Way, the Truth, and the Life. Part II. treats of the Historic Christ—of the Jews' Messianic hopes, of Christ's rejection, of His Life, Death and Resurrection. Part III. draws a character sketch of those who took a prominent part in the condemnation of Christ, viz., Annas, Caiphas, Herod, Pilate, Judas, and the people. The last chapter of Part III. contrasts the judgment of God with the judgment of men. In the ' Epilogue,' the author answers the question, put to him by an enquiring Hindu, ' What does Christ mean to me ? '

We venture to prophesy that no one will either grudge or regret giving one and sixpence for this 8vo volume, strongly bound, of over 100 pages, full of interesting matter, and written with all the directness and freshness of a good lecturer.

D.

THE IMMACULATE CONCEPTION. By Rev. Thomas Harper, S.J. Revised by Rev. Joseph Rickaby, S.J. London : Burns and Oates.

FATHER HARPER'S essay dates back to 1866, and was first published as a rejoinder to Dr. Pusey. Father Rickaby has excised the controversial parts. Even thus reduced, the essay extends over 60 pages of large 8vo. Starting with the text of the solemn definition of the Immaculate Conception by Pius IX in 1854, the author explains what is meant by the state of pure nature, the state of original justice, and the state of fallen nature. He then shows that *physically* man is in the state of pure nature, but *morally* he is in a *fallen* state, because he has lost the supernatural state to which God raised him, has destroyed the supernatural life of his soul, and has thus incurred the Divine displeasure : therein consists the state of sin. Having thus prepared the way the author proceeds to explain the doctrine of the Immaculate Conception, and makes clear the points of difference between the sinlessness of Mary

by privilege, and the sinlessness of Jesus by right. In the concluding portion of the volume quotations from the Greek and Latin Fathers are given in support of the doctrine of the Immaculate Conception, and a brief history of the storm of controversy followed by the great calm leads to the final paragraph in which the author lucidly summarizes his treatise.

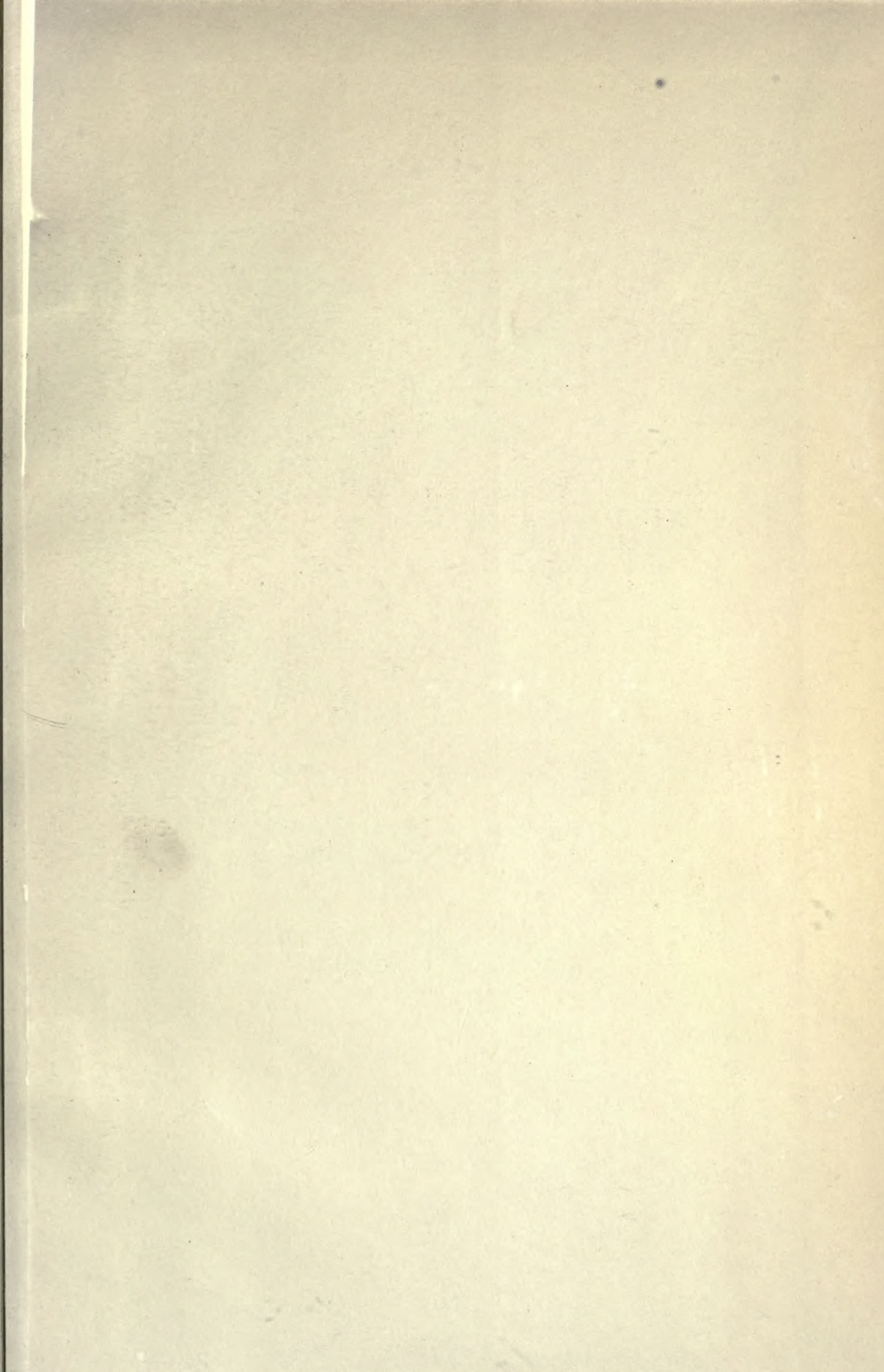
Father Rickaby voices what will be the opinion of every reader when he says that this treatise of Father Harper is the best treatise on the subject in the English language.

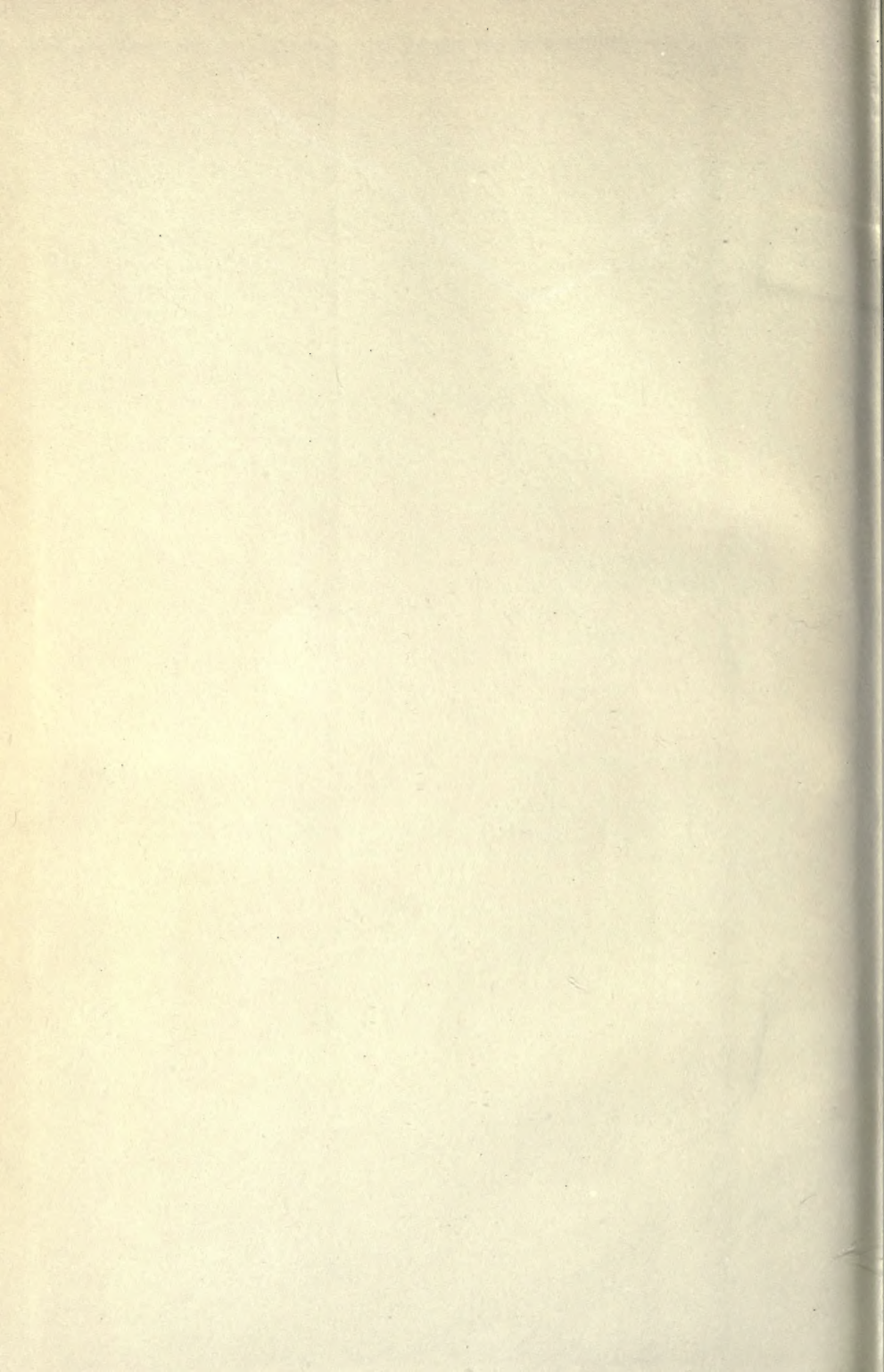
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### BOOKS, Etc., RECEIVED

- America : A Catholic Review* (November).  
*The Ecclesiastical Review* (November). U.S.A.  
*The Rosary Magazine* (November). Somerset, Ohio.  
*The Catholic World* (November). New York.  
*The Austral Light* (October). Melbourne.  
*The Irish Monthly* (November). Dublin : M. H. Gill & Son, Ltd.  
*The Catholic Bulletin* (November). Dublin : M. H. Gill & Son, Ltd.  
*The Month* (November). London : Longmans.  
*Revue Pratique d'Apologétique* (November). Paris : Beauchesne.  
*Revue du Clergé Français* (November). Paris : Letouzey et Ané.  
*Revue des Jeunes* (November). Paris : 3 Rue de Luynes.  
*The Fortnightly Review* (November). St. Louis, Mo.  
*The Lamp* (November). Garrison, N.Y.  
*Our Boys* (Christmas Number). Ed. by Christian Brothers. Dublin : Cahill & Co.  
*The Golden Hour* (Vol. I. No. 1). Maynooth : St. Patrick's College.  
*Catholic Soldiers*. Ed. by Charles Plate, S.J. London : Longmans.  
*A Christian Social Crusade*. Oxford : The Catholic Social Guild.  
*Essays on Poetry*. By Rev. George O'Neill, S.J. Dublin : Talbot Press.  
*Science and Morals*. By Sir Bertram Windle. London : Burns & Oates.  
*The Story of the Great War*. By L. G. Redmond-Howard. Dublin : Talbot Press.









Does Not Circulate

IRISH Ecclesiastical Record.  
July-Dec. 1919.

BX 801 .I68 1919 Pt.2 SMC  
The Irish ecclesiastical  
record 47085658

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